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THE WARE CASE

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5714/

THE WARE CASE

A PLAY IN FOUR ACTS

BY

GEORGE PLEYDELL

METHUEN & CO. LTD.
36 ESSEX STREET W.C.
LONDON

First Published in 1915

TO MY FRIEND

GERALD DU MAURIER

I DEDICATE THIS PLAY

G. P.

THE WARE CASE

A Play in four Acts by George Pleydell, first produced at Wyndham's Theatre, London, under the management of Messrs. Frank Curzon and Gerald du Maurier, on Saturday the 4th of September, 1915, with the following cast :—

Sir HUBERT WARE, Bart.	Mr. Gerald du Maurier
Sir HENRY EGERTON .	Mr. Dawson Milward
MICHAEL ADYE, K.C., M.P.	Mr. Norman McKinnel
Sir JOHN MURLESS, K.C., M.P.	Mr. Sydney Valentine
The Hon. Sir RICHARD PETWORTH	Mr. J. Fisher White
MARSTON GURNEY . .	Mr. Ronald Squire
EUSTACE EDE . . .	Mr. Wilfred Fletcher
TOMMY BOLD	Mr. Arthur Hatherton
A DOCTOR	Mr. Frederick Culley
RATE	Mr. Charles Harley
FOOTMAN	Mr. G. McCarthy
LADY WARE	Miss Marie Löhr
CELIA WILSON . . .	Miss Stella Mervyn Campbell

CHARACTERS

SIR HUBERT WARE, BART.
SIR HENRY EGERTON
MICHAEL ADYE, K.C., M.P.
SIR JOHN MURLESS, K.C., M.P.
THE HON. SIR RICHARD PETWORTH
MARSTON GURNEY
EUSTACE EDE
TOMMY BOLD
A DOCTOR
RATE
FOOTMAN

LADY WARE
CELIA WILSON
and ADDITIONAL PERSONS

The ACTION *passes between September and January.*
The SCENE *is laid partly in the country in Middlesex and partly in London.*

THE WARE CASE

FIRST ACT

The old grey oak-panelled lofty Library at Wilbury House, Middlesex, SIR HUBERT WARE'S *country residence. The ceiling is richly beamed. In the back wall are three windows of uncommon height, reaching to the floor; the centre window, which alone is used for the entrance or exit of the characters, being less high than the one on either side of it. It leads out upon a garden terrace, beyond which there is a beautiful view of park land. High up in the right wall there is a wide single door leading to the hall. Into this door handsome books are let. An imposing fire-place is below the door. The left wall is decorated almost entirely with books, the shelves of which are within the thickness of the wall. The luxurious furniture, for the most part Jacobean, is placed as follows: In the centre a large writing-table, with its ends up and down the room. It is broad enough for a blotting-pad to lie on either side. A telephone receiver stands upon it. On the right and left of this table are handsome writing-chairs. At its foot, facing the audience, is an artistic low-backed sofa. Farther right a smokers' table stands, and below the fire-place an arm-chair. Other odd pieces of sumptuous furniture are here and there.*

The whole appearance of the room is suggestive of wealth and good taste, and is typical of a fine old English mansion.

It is the hot afternoon of September the 10*th.*

[N.B.—*Throughout this play the expressions "right" and "left" mean the actors' right and left.*]

(*Telephone is heard ringing.* RATE, *an elderly butler, enters up right and looks round. He then goes out through centre window and along terrace to left.*)

GURNEY (*outside*). No, no, no; they're in the bushes on the left.

(GURNEY, *a pleasant-looking young man of about twenty-eight, dressed in tennis flannels, enters from left of terrace through centre window, followed by* RATE.)

Shove it through here.

(RATE *goes out up right to hall.*)

(*Speaking into the receiver on centre table*) Hullo! Yes? You're speaking from London. Yes, this is Sir Hubert Ware's house. No, I'm his secretary—Mr. Gurney. Who is it speaking?—Mr. Stock—Oh, Mr. Ingleworth! Sir Hubert's stockbroker. Oh, yes. Well, can I give him your message? No, I couldn't possibly manage to come to-day. I'm sailing for Canada to-morrow. Yes, didn't you know? I'm after a job there. Yes, I do happen to know something about the matter. Serious, you say. (*Looking round, and quietly*) Are you there? Yes—yes—yes—and the total sum? (*Frowning, he sits right of table.*) Serious as that? Yes—er—couldn't it be carried over again to the next account? It must be met—that's final? Oh, Lord! Then you mean to say, Mr. Ingleworth, that this is the end of everything. Oh, dear! Oh, dear! It's got to be settled by Thursday. Well, you know it can't be. You know Sir Hubert. He'll say, "It's an 'ard life."

(EUSTACE EDE *enters by the window. He is an anæmic and effeminate-looking youth of twenty, faultlessly dressed in flannels.*)

Hullo, Eustace, did you find those two balls?

EDE (*crosses down to table nearer fire-place*). No, I didn't. (*Lights cigarette.*) On an insufferably hot day, to have to hunt for balls and clamber over beastly wire-netting while you play tennis is perfectly frightful for one's flannels. (*Crosses to behind centre table.*)

GURNEY. Do you good. If you could get a smear or two of the earth on you it wouldn't hurt you. That's what you want, my boy, to be made a man of; only I'm afraid that's impossible.

EDE. Look here, Marston, I'll tell you something, and I mean what I say. I simply hate and loathe you. (*Sits on sofa, centre, with his feet upon it.*)

GURNEY. You couldn't have paid me a higher compliment, my son. Listen to me, Eustace. I'm going off to Canada to-morrow.

EDE. Thank God for that! I hope the boat will sink.

GURNEY. Thank you. (*Rises*) And if I get the job I'm after, the chances are I may not see you again before you come of age. To man's estate, as they are pleased to call it—man's estate! In your case the phrase doesn't seem to me to be particularly happy.

(EUSTACE *puts out his tongue.*)

You're a blighter of the first water, and want kicking, and kicking, and kicking again. You make me simply tingle to do it myself. And when I look at you and that angel, Lady Ware,

I can't bring myself to believe you're her brother at all.

(EUSTACE *suddenly springs up in fear.*)

What the devil's the matter with you?

EDE. There's a wasp! (*Violently waving his handkerchief and screwing himself up in fear*) I hate 'em, I hate 'em! Take it away, Marston, do! (*He jumps up with a cry, and with his handkerchief beats the air in terror.*)

GURNEY. Go to the devil!

EDE (*dodging the wasp.*) I say, what a funk you are! (*Controlling himself like a foolish child*) You shall just see I'm not afraid.

GURNEY. I should like to see that.

(LADY WARE *and* CELIA WILSON *pass outside from the left side of the terrace.* LADY WARE *is a very attractive young woman of twenty-five, beautifully gowned.* CELIA WILSON *is a charming contemporary and prettily dressed in tennis costume. She carries a racquet.*)

EDE (*eyeing the smoker's table, in a whisper*). He's settled there, the wretch. Now! (*He looks round and goes to the table. He takes down a small bowl from mantelpiece and returns on tiptoe to the smokers' table, then very timidly putting the bowl over the wasp*) There! What do you think of that? I've got him! I've got him! I've got him!

(LADY WARE *and* CELIA *appear at the centre window.*)

LADY WARE (*coming down right of centre table*). Got what?

EDE. A wasp, Magda. He's been trying to sting

me. Trying all he knew, Celia. But I've got him. (*With almost devilish delight*) And now I'm going to finish him.

LADY WARE (*joining* EDE *on his left*). You're going to do nothing of the kind, Eustace. You're going to let him go.

EDE. Indeed I'm *not* going to let him go. You shall just see my artistic method. I let 'em die slowly by nicotine poison. (*With glee*) He'll be all stupefied in a moment. Look! (*Takes a long draw at his cigarette, bends low, and with great caution lifts the bowl slightly at one side and blows in a cloud of smoke, putting the bowl flat again.*) There! Who's afraid? I'll give him another go directly.

LADY WARE (*going to the smokers' table and lifting the bowl*). No, you won't. (*Flicks her handkerchief to send the wasp away.*)

EDE. Magda, how silly you are! Magda!

LADY WARE. How cruel you are, Eustace! You seem to take a fiendish delight in torturing anything that, by some extraordinary accident, chances to be even more insignificant than yourself.

EDE (*peevishly*). That's a nice sisterly remark.

LADY WARE. Oh, it's not only this wretched little wasp, but everything. You want—— (*She beats one palm upon the other as if delivering a blow.*)

(EDE *puts out his tongue.*)

It's inconceivable that you're nearly twenty-one and coming into a large fortune.

EDE. You're jealous; that's what's the matter with you, Magda. You're jealous.

LADY WARE. Don't be a fool, Eustace.

EDE. Home truths are rather unpleasant, aren't they?

CELIA. Look out, Eustace, there's that wasp again.

EDE (*in terror*). Where, where ?

CELIA. On your back.

EDE (*waving his arms violently and running up centre*). Oh, oh !

(CELIA *strikes him on the back with her tennis racquet.*)

Don't do that, it hurts ! Oh ! damn !

(EDE *goes out through centre window to right.*)

LADY WARE (*crosses, sits left end of sofa, centre*). Poor Eustace ! Before I forget, Marston, what time does the boat-train leave Euston to-morrow ?

MARSTON. Ten o'clock.

LADY WARE. Then I had better order the car for half-past eight for you.

GURNEY. Thanks awfully !

LADY WARE (*to* CELIA, *to whom* GURNEY *signals in the negative*). Are you going to see him off ?

CELIA (*left of* LADY WARE). No ; I shall stop here with you.

GURNEY (*rises*). Lady Ware, I'm so awfully sorry to have to leave you and Sir Hubert like this ; but you do realize, don't you, that it's a great chance if I get this billet ?

LADY WARE. My dear boy, of course ! Still, I wish you could have gone on staying here as Hubert's secretary. However, as things are, that was bound to come to an end.

GURNEY. Still, it will always be a gorgeous time to look back upon, better than having to wait at the Bar for the wretched briefs that never came. You saved me from that by introducing

me to Sir Hubert; and *then* think what you have done for me.

LADY WARE. What?

GURNEY. I should never have met Celia if it hadn't been for you.

(CELIA *kisses her hand to him, and* GURNEY *kisses* LADY WARE'S *hand gallantly.*)

Do you know where Sir Hubert is? I have a message for him.

LADY WARE. He's playing croquet with Sir Henry Egerton.

GURNEY. Sir Henry Egerton! Is Sir Henry here?

LADY WARE. Yes; he walked over after lunch.

GURNEY. I wonder if he has any further news of his brother's horse.

CELIA. His brother's horse?

GURNEY. Yes, "Aeroplane." It's the Leger to-day, you know. It's an absolutely open race.

CELIA. Oh, I feel you are going to "lunge" it. I'm certain you're going to "lunge" it. I thought you had done with all that at Cambridge.

GURNEY. So I had. But I've been feeling pretty reckless. I wish I'd backed it both ways.

CELIA (*near window by* GURNEY). Marston, could I have a back?

GURNEY. A what?

CELIA. A back.

GURNEY. A back? Oh, you mean have a bit on?

CELIA. Yes.

GURNEY. I'll ask Egerton's advice.

(GURNEY *disappears hurriedly through window to left.* CELIA *comes down to right of* LADY WARE.

LADY WARE. Dear old Marston. I wish he could have stopped on. But that's out of the question now that Wilbury has to go and the flat too.

CELIA. The flat too?

LADY WARE (*on sofa*). My dear, it's a rent of a thousand a year.

CELIA. Has Sir Hubert lost as heavily as that?

LADY WARE. Practically everything.

CELIA. Everything? (*Sits on her right.*)

LADY WARE. He admitted as much about an hour ago here in this room. But it isn't that he's lost. A wife can bear that. But what he hasn't gambled away he's squandered on . . . You know what I mean. I've been one of a number for years. (*Rises, crosses left, then up left.*) For the last half-hour I've been tramping about the grounds like a mad thing.

CELIA. Oh, why didn't you send for me?

LADY WARE. No; it was one of those moments when you have to be alone, when you're on edge with everybody and have to keep walking, walking, walking away from something that's always catching you up. (*To behind sofa, left.*)

CELIA (*patting her hand affectionately*). I know, dear.

LADY WARE. Oh, how can you? It's a feeling that only comes to a woman who has made a mistake; a feeling of rage at having made the mistake; a feeling of loathing for everything and everybody.

CELIA. Ah, don't say that!

LADY WARE. That was my feeling. And these four years have been my training for it.

CELIA. Since——?

LADY WARE (*desperately*). My marriage, my dear. That was the mistake I shall never be forgiven.

CELIA. What do you mean?

LADY WARE. Hubert a baronet, rich, position, and all the rest. Not a thought as to happiness. That simply didn't count with my father. And if any one mentioned happiness it was always money that could buy it, nothing else. It was his Stock Exchange way of looking at things. If mother had been alive it might have been different.

CELIA. Why *did* you do it?

LADY WARE. When I hesitated to accept Hubert, my father told me of his will. I had to marry well, he said, because, apart from a small settlement on me, he was going to leave everything to Eustace. Oh, he meant it all for the best, I suppose, but he chivvied me into it. Hubert was charming and all that, and—— Well, I made the mistake I shall never be forgiven. You're not let off lightly for that. And it was only just now when I reached the far end of the lake that I saw a means of escape.

CELIA. Magda!

LADY WARE. Yes, I longed to end it all.

(GURNEY *enters excitedly through window, and comes down.*)

GURNEY (*to* CELIA). Egerton still thinks "Aeroplane's" all right. The stable's got a pile on it.

CELIA. And you, Marston?

GURNEY. Nothing that I haven't got. I'll tell you when it's over. I have the chance of bringing off a big coup like I did once up at Trinity. If you do want a bit on I'll telephone from the hall at once. There's only just time. (*He hurries to door up right.*)

CELIA. Could I have a shilling's worth?

GURNEY. Oh, my dear child! (*About to leave.*)

CELIA (*determinedly*). No, five shillings.

GURNEY. Each way?
CELIA. Does that mean first or last?
GURNEY. No, darling, the first three.

(LADY WARE *sits in left corner of sofa, centre.* GURNEY *goes out up right.*)

LADY WARE. Celia, I want your advice. What's the best way to meet all this?
CELIA. With courage, Magda.
LADY WARE (*with a smile*). I knew you'd say that.
CELIA (*strongly*). And that's the way you're going to meet it, I'm certain.
LADY WARE. Ah, you think too well of everybody.
CELIA. Not of you. You're one of those capable of rising above things when they're at their hardest, their bitterest.
LADY WARE. Oh no, I'm not. I'm an ordinary moral coward.
CELIA (*strongly*). Since when? (*Proudly*) You weren't when we were at school. (*Gently*) You didn't become so two years ago either.
LADY WARE (*looking out before her*). Two years ago?
CELIA. When your baby died. What is this trouble compared with that? Ah, promise me, for *his* sake, that—that—*thought* of to-day will never return. (*Tenderly*) Promise me. Do.
LADY WARE (*in a whisper*). Yes, I promise.
CELIA (*brightly*). Faithfully?
LADY WARE. Faithfully.
CELIA. Ah!
LADY WARE. One thing I'd lay any money on. When you're married your story at the end of four years won't be mine. You will never have for your husband the feeling I have for mine. That I'm sure of.

CELIA. I know what you mean.

LADY WARE. Yes, but the world wouldn't. It labels Hubert the most generous fellow that ever stepped, who'd give his last shilling to help a pal, and who never makes an ill-natured remark about any one ; a man who never varies, with the gift of making the last person he meets feel that he is the most welcome at that particular moment. That is Hubert's character, and the world, from Bond Street to Whitechapel, would call me a lucky woman. But the world's short-sighted if it's pleased, Celia. It doesn't see that the man who earns a reputation like that has to blow off the steam somewhere, and that his home is his safety-valve.

CELIA. Magda, what shall you do ?

LADY WARE. Go on, I suppose, and try to remember that precept your dear father preached. It was his last sermon, just when I lost my baby, and I know he preached it at me. His text was from Proverbs.

CELIA. "If thou faint in the day of adversity thy strength is small."

LADY WARE. That's it, and his sermon went on—"To accept one's lot, to bear sorrow patiently without rebellion, and, if given an excuse for yielding to temptation, not to seize it, but to resist it——"

CELIA. "Be the excuse ever so mighty."

LADY WARE. I can hear him saying it now.

(RATE *enters up right.*)

RATE. Mr. Adye is on the telephone, my lady.

LADY WARE. Mr. Adye ?

RATE. I should say Mr. Adye's clerk. He's speaking from the Temple, and asked for your ladyship.

LADY WARE (*somewhat eagerly*). Put him through to me here. (*Rises, and goes up to telephone on centre table, taking off the receiver.*)

(RATE *goes out up right.*)

(*Speaking into the telephone*) Yes?—Yes, it's Lady Ware speaking. (*Pause*) Yes, I understand. Thank you. Good-bye. (*She rings off.*)

CELIA. A message from M. A.?

LADY WARE (*looking in front of her*). Yes. Mike left town in his car about forty minutes ago. He's coming to see me.

CELIA (*thoughtfully*). It's a long time since he came, isn't it? (*Lights a cigarette.*)

LADY WARE (*with a tinge of sadness*). Yes, it is rather. When the House rose he went off to St. Andrews.

CELIA. What a position to have reached at his age! Only thirty-seven, isn't he?

LADY WARE (*dreamily*). Yes.

CELIA. The finest advocate at the Bar, and the best speaker in the House. Marston says it's any odds on M. A. being Attorney-General in the next Government.

(LADY WARE *is by chair left of centre table.* CELIA *is still seated on sofa.*)

LADY WARE. And it's just like him to turn up when one needs a friend. (*Eagerly*) He ought to be here soon. (*Deliberately*) Celia, I'll tell you something. When you were away in Dresden and I became engaged I could have married Michael if I had chosen.

CELIA. My dear!

LADY WARE. But the dear thing didn't speak, and never gave me the veriest inkling that he

cared for me in that way. I'd simply looked upon him as a big, strong, wise elder brother, always ready to give me advice about investments and all that sort of thing. I never had a suspicion of it until I found it out by accident a year afterwards—just at the moment, too, when the hideous blunder of my marriage was coming home to me. (*Sits in chair left of centre table.*)

CELIA. How *did* you find it out? Not from M. A.?

LADY WARE. No; he's never opened his lips to me. From some one else. I've been miserable ever since. And yet I've been happy too.

(CELIA *regards her.*)

Yes, I have. And I'm glad he's coming. I admit it.

CELIA. Oh, take care, Magda!

EGERTON (*outside*). My dear fellow, I won by superior play. There's no doubt about that.

(SIR HUBERT WARE *and* SIR HENRY EGERTON, *both dressed in flannels, appear upon the terrace from left.* SIR HUBERT WARE *is a handsome man of about thirty-five, exceedingly well groomed, debonair, and fascinating in manner.* SIR HENRY EGERTON *is forty-seven, with distinction and authority. They come through the window together.*)

EGERTON (*mopping his forehead with his handkerchief, and joining* LADY WARE, *left*). Well, Lady Ware, I've given your husband a severe beating.

WARE. Yes, you blackguard, I've never seen you in better form.

EGERTON. A long game of croquet immediately after lunch, my dear Lady Ware, when you're nearing fifty——

WARE. Sixty.

EGERTON. Rubbish! And the thermometer 79 in the shade.

(WARE *crosses to fire-place and presses bell. Sits in chair, left.*)

And I meant to be fit for a very complicated case I have to go to Scotland Yard about to-night.

CELIA. A murder?

EGERTON. Well, yes, it is a murder.

WARE. One out of the top drawer?

EGERTON (*to* LADY WARE). Now, what does he mean by one out of the top drawer?

WARE (*down right of sofa*). Well, one that takes the entire theatrical profession to the Old Bailey.

EGERTON. This might be if ever it got as far as the Old Bailey. It's the Soho murder.

WARE. Ho! ho! a corker.

LADY WARE. A horrible story.

EGERTON. But a teaser.

(RATE *enters up right with tray, on which there are tumblers, siphons, and spirits, and a jug of barley-water. He deposits tray on the smoker's table.*)

RATE. Are there any orders for the chauffeur this afternoon, my lady?

EGERTON. Ah, drinks! (*Crosses below sofa to smokers' table and mixes himself a brandy and soda.*)

LADY WARE. No (*rising quickly*). But I want to see him about the car for Mr. Gurney to-morrow morning.

(LADY WARE *and* RATE *go out up right.*)

CELIA (*chaffing him regarding the drinks*). Oh, Sir Henry! Sir Henry!

WARE. Ah, but I thought you never drank between meals, Egerton.

EGERTON. Never—except when I play croquet.

WARE (*on right of sofa*). Which, judging from your play to-day, is pretty frequently. Therefore it points to the fact that you're making a bee-line for a drunkard's home. Do you ever take it strong? (*Comically eyeing* EGERTON *mixing a strong drink.*)

EGERTON. I never take it weak. (*Notices* WARE *take up a glass of barley-water*) But what are you drinking, Ware?

WARE. Barley-water. Well made, the best drink in the world. Here's luck!

(*They both drink.*)

But, you know, all your good murder cases are teasers now. Nine times out of ten it remains an undiscovered crime.

EGERTON. I'm afraid you're not far wrong.

WARE. It's getting deadly monotonous.

EGERTON (*airily*). I'm inclined to agree with you.

(*Crosses right and sits in chair below fire-place.*)

WARE. Ah, as Chief of the Criminal Investigation Department you're the wrong man for the job. Yes, you are. You're becoming a public scandal. And all due to this fatal habit, which Celia and I have just discovered, of drinking between meals.

CELIA. What a shame!

EGERTON. But joking apart, a case of murder like this Soho one is a good deal more intricate than the public imagines. Even when you catch your bird the evidence must be pretty

conclusive. Just one weak bar in the cage, and away he flies.

CELIA. Until he's caught again.

EGERTON. Oh, on a fresh charge ?

CELIA. No, the same one. Suppose in this case you found some new evidence after he had got off ?

EGERTON. Worthless. He could never be retried. Why, this infernal scoundrel, if acquitted, could bolt out at once into Newgate Street and publicly proclaim his guilt, and we should be powerless to stop him.

WARE. Colossal.

EGERTON. Here, don't make me talk shop.

WARE. The most interesting shop there is.

EGERTON. Crime ? To you, I know, you morbid wretch !

WARE (*crosses up left*). Yes, I've a pile of books on it here—English and French.

(EGERTON *laughs, while* WARE *indicates some books.*)

"Celebrated Trials," six volumes ; "La Criminalité Comparée." There's an accent for you. "La Criminologie," and a lot more. I was reading a fascinating little murder last night—a French one. (*He crosses to bookcase and takes out a volume strikingly bound in red. He holds it up and puts it back in case.*)

EGERTON. Oh, Lord !

WARE (*laughing*). Ah, but they do them so picturesquely over there. I never entered it in my diary. (*Takes volume down again and goes with it to writing-table, where he enters crime in diary.*)

EGERTON (*laughing*). Your diary !

WARE (*holds up large diary from centre table*).

My book diary. I enter every first-class crime in my diary on the date I first read it.

EGERTON (*rises*). You're a marvel.

(GURNEY, *with ruffled hair, enters from hall up right and approaches centre table.*)

GURNEY. Can I talk business with you, Sir Hubert?

WARE. Oh, Lord!

GURNEY. Here's an envelope for you marked "Private." Shall I open it?

WARE (*taking a long envelope from him and regarding it*). No, I know all about it. (*Puts it in his pocket.*) What's the matter with your hair?

GURNEY. I went down to the lake and bathed.

EGERTON (*chaffing him*). No news of the Leger yet?

GURNEY (*nervously*). No. Phew! That's *why* I bathed.

WARE (*laughing*). You're just fairly on the wrong un. You're going to get it in the neck.

(*A cry from* CELIA, *who is seated on sofa.*)

(*Regarding his watch and leaning towards* CELIA) In about a quarter of an hour we shall hear "Blacksocks" has won. (*To* GURNEY) I'm sorry, old chap, but you're going to lose your money.

(WARE *sits left of centre table and continues to enter the crime in the diary.*)

EGERTON. I don't think so.

GURNEY (*nervously*). Thank you, Sir Henry.

EGERTON. Have you put much on?

(GURNEY *makes a gesture of despair.*)

CELIA. Oh, Marston! (*rises and crosses up centre.*)

(GURNEY *mixes a drink from smokers' table.*)

EGERTON. Come along, Miss Celia. You want to make the next quarter of an hour pass somehow.

(*They go up to window.*)

CELIA (*in an agony*). It'll never pass, Sir Henry.

EGERTON. Hullo! Are you on "Aeroplane" too?

CELIA (*half-tearfully*). Five shillings' worth at each end.

(EGERTON, *laughing, and* CELIA *go out to the terrace and disappear left.*)

GURNEY (*taking up an addressed letter from centre table, and lighting a small candle*). By the way, Sir Hubert, you haven't signed that letter to Lausanne about Eustace. My word, you've been awfully kind to that young fellow! (*Passes it across to him.*)

WARE (*signing letter, lightly*). Well, after all, he's my wife's brother.

GURNEY. I've enclosed Lady Ware's cheque, so we'd better seal it.

WARE. Yes, I suppose so. I've found out about them—the family he's going to. They're very nice old people. After all, he's a delicate boy, and I shouldn't like anything to happen to him.

GURNEY. Ah, pity he didn't go to a public school and the 'Varsity! And worse than a pity that in a few months' time he's coming into all this money without any qualification for managing it.

WARE (*standing, he seals letter with ring from his finger. Lightly*). His is not an exceptional case, my dear Marston.

GURNEY. Still, it's a bit rough that an angel like Lady Ware shouldn't have it. Rotten, I call it.

WARE. Marston, I never credited you before with a mercenary mind.

GURNEY. Oh, I can't help it. I'm sorry, but I loathe the fellow. (*Quietly*) And, look here, Sir Hubert, I couldn't tell you before the others —I have some baddish news for you. Ingleworths have rung up to say you *must* settle their account by Thursday, or action will be taken.

WARE (*hesitating*). Oh! have they? (*Goes left.*) Oh, well, it's an 'ard life.

GURNEY. By Jove! you're amazing, the way you take it.

WARE. My dear fella, once in the tumbril, you've got to face the music, eh? (*Goes to sofa, on which he reclines.*)

GURNEY. But I'm awfully sorry. I wish to God *I* had money, that's all.

WARE (*laughing*). I wish you had, old chap. Perhaps you will if this Canadian job comes off. (*Takes out cigarette-case. Feels in his waistcoat-pocket.*) Got a match? (*Produces a five-pound note.*) Hullo, a five-pound note! I didn't know there was so much money in the world.

(*Enter* RATE *up right. He carries a salver with a card upon it.*)

RATE (*comes down to right of* WARE, *who is still reclining on sofa, centre*). There's a man in the hall, Sir Hubert, and I can't get rid of him. I told him you were out, Sir Hubert, but he said he'd seen you from the drive and knew you'd see him, Sir Hubert. Treated me, Sir Hubert, like a mere siphon.

WARE (*regarding card*). "Tommy Bold." Why, of course I'll see him. Show him in, Rate.

GURNEY (*handing* RATE *a bundle of letters*). Sir Hubert's letters for the post. That one to Switzerland is for the night mail. See that it's registered at once.

RATE. Very good, sir.

(RATE *goes out up right.*)

GURNEY. Tommy Bold, the bookie?

WARE. Yes; there's only one Tommy Bold. Great Scot! He's had his whack out of me in his time. Ho, ho!

GURNEY. But I haven't heard of him for ages. (*Crosses to fire-place.*) What's happened to him?

WARE. Gone to the devil, I believe.

(RATE *re-enters up right, followed by* TOMMY BOLD, *who coughs unrestrainedly. He is the wreck of an elderly man. He is thin, pale, and in need of a shave. He is very poorly clad. His clothes seem to hang on him.* TOMMY *bows his head.* RATE *goes out up right.*)

WARE (*sympathetically*). Well, well, well. (*Gently*) Why, Tommy, how are you?

TOMMY (*slightly above sofa on its right*). Done, sir —smashed.

(GURNEY *looks away.*)

WARE (*gently*). Ah-h!

TOMMY. I was out in Hyde Park all last night. Lucky it's hot and fine. And this morning I didn't know where to turn. So I pulled myself together, and started to walk the twelve miles down here to see you.

(GURNEY *guffaws quietly.* TOMMY *glances quickly at him.*)

WARE. You walked, Tommy? (*Exchanges sceptical glances with* GURNEY.)

TOMMY. That's right, sir. I remembered how well you'd always treated me in my prosperous days.

WARE. Always paid my losses, you mean?

TOMMY. That's right, sir. But I always paid you mine, didn't I?

WARE. I think you only lost once to me, Tommy, eh?

TOMMY. That's right, sir. "Granborough." Middle Park Plate. You took twelve "ponies" off me. Well, sir, I believed you'd treat me well again when I'm down in my luck. Oh, I know it's all my own fault. I didn't run straight once. (*Coughs.*) But, my God, I've paid for it. (*He bursts into tears.*)

WARE (*sympathetically, and motioning him to a stool by smokers' table*). Sit down, Tommy.

TOMMY (*sitting on stool*). Try to remember what I once was like, sir, in my prosperous days at Newmarket, Epsom, Doncaster—Doncaster! That's where I ought to be to-day! But what's a man to do when he's desperate? I've been in gaol once, and that finished me. I can't get up out of it. I can't! I'm done! (*He coughs for some time.*) You hear that cough?

WARE (*meaningly*). Yes, I did.

TOMMY. Well, the last doctor I saw didn't give me very long.

WARE (*gently*). What's that? My dear Tommy, I'm sorry. How can I help you?

TOMMY. Only a trifle, sir. I want a meal to stop—to stop the pain——

(WARE *feels in his waistcoat-pocket.* GURNEY *shakes his head in disapproval.*)

WARE. Ring the bell, Marston.

(GURNEY *does so.*)

(*Giving* TOMMY *the five-pound note from his pocket*) Good luck to you.

TOMMY (*rises*). Five pounds, sir! You give me that! God bless you! I shall never forget this—never!

(RATE *appears up right.*)

WARE. Rate, give my friend here a good luncheon, with a pint of champagne. Go with him, Tommy.

(TOMMY *crosses to right.*)

And afterwards, before you return to town you can take a stroll in the grounds. It'll do you good. Good-bye.

TOMMY (*clutching his hand*). I shall be able to say behind your back, sir, what I feel. I shall tell some of those damned socialists how good the rich can be to the poor. I'll have a tub of my own in Hyde Park and paint it royal blue. (*Approaches door up right coughing.*)

WARE. Marston, go and see he has everything he wants, like a good fellow.

(*All three,* TOMMY, GURNEY, *and* RATE, *pass out up right.* LADY WARE *comes through window.* WARE *is still on sofa, centre.*)

LADY WARE. Hubert, who was that?

WARE (*his tone at once altering to one of callous hardness*). That?—Oh, an old friend of mine.

I want to speak to you a moment. (*Extracts envelope* GURNEY *gave him from his pocket.*)

LADY WARE (*she raises her voice and comes to writing-chair on right of centre table*). And I want to speak to you. Hubert!

WARE. You drive off, then.

LADY WARE. I want to understand a little more fully the state of your affairs. I have a right to know.

WARE. The details don't seem to me to matter much. It's only the result that counts. I told you I'm whacked.

LADY WARE. But something must be done to stop the publicity and scandal of this, at any rate to tide over things. Something must be done.

WARE. What?

LADY WARE. I don't know. Can't you discover it?

WARE. You must give me an easier one than that, Magda. Do you suppose I haven't racked my brains? Even the brightest intellects can be beaten sometimes.

LADY WARE (*comes down slightly to right of sofa*). Why not sell this place?

WARE. Poor old Wilbury! Mortgaged up to the hilt and I can't meet the interest. Besides, that's a drop in the ocean.

LADY WARE. Then Eustace—could *he* help?

WARE. Eustace! Better ascertain if his trustees would be sufficiently accommodating. Can't you picture the mugs of those frowsy old buffers when you asked them?

LADY WARE. And the amount of what you owe —what is that exactly?

WARE. As to liabilities—"exactly," my dear Magda, is a word I shy at invariably. I can

only be exact where assets are concerned. What it comes to is this, that in the space of these four years the whole of my capital has—evaporated, and I can't meet certain big claims they're making on me.

LADY WARE. Oh-h ! It's wicked—detestable !

WARE. I'm not pretending to regard it as particularly exhilarating. But it's no use blinking it.

LADY WARE. And—and what do you possess ?

WARE (*extracts from his trouser-pocket some coins*). Four pounds ten.

LADY WARE. Oh, the disgrace of it all ! I may be a child in money matters, but I realize that, though it doesn't seem to appeal to you in the least. To me, as your wife, it's—it's a little different. The prospect is not very pleasant when one knows that some of the ways you've squandered your money will become public property. And a woman doesn't care very much for the pity she receives under those circumstances. Your consistent faithlessness to me for years is hardly a thing I should want to see advertised.

WARE (*frigidly, and perusing a newspaper*). Oh, that's you all over. You will hark back so. Why introduce extraneous matters ?

LADY WARE (*madly, and going up*). Extraneous ! Extraneous !

WARE. If only women would keep to the point.

LADY WARE. I should like the world to see you now.

WARE (*calmly*). It would be edified, no doubt, by the rare sight of a man reading the day's paper in his own domestic circle.

LADY WARE (*comes down on right of sofa*). Oh-h ! You !

WARE (*calmly*). Ah, now, have a little consideration.

LADY WARE. Put that paper down — put it down! (*She is about to take the newspaper from him.*)

(WARE *rises abruptly and seizes her savagely by the wrist.*)

(*Wincing*) You—you hurt me! (*She frees herself from his clutch, and there is a pause during which she rubs her wrist.*)

WARE (*coldly*). Magda, I will not be subjected to this damned interference.

LADY WARE. I believe it affords you a fiendish delight to see me lose my self-control.

WARE (*coldly*). It's an entertainment you've constantly treated me to for the last——

LADY WARE (*quietly*). Three years.

WARE. That's a longish run.

LADY WARE. But I'm going to—*end* it.

WARE (*with a tinge of alarm*). What do you mean —leave me?

LADY WARE (*with quiet dignity*). No. When you've squandered every particle of your capital upon others, when you've insulted me and brought disgrace upon your own name and mine, I'm going to do probably the most incomprehensible thing in the world, that only a fool of a woman would be capable of—I'm going to stand by you.

(*He is about to interrupt.*)

Don't misunderstand me. There's no love in it. Not an atom. You've killed that, and every fragment of respect entirely. But I shall stay under the same roof with you to *support* you so far as my income will allow, and for

as long as we two last out—unless you prefer that I should leave you and make you a regular allowance.

WARE (*thoughtfully*). I should be better off if we were together, shouldn't I? On the restaurant principle that one portion does for two.

LADY WARE (*biting her lips*). Precisely.

WARE. Where shall we live, I wonder?

LADY WARE. Oh, a poky hole somewhere, I suppose. Earl's Court, or——

WARE (*with a wry face*). Earl's Court! Good God!

LADY WARE. Yes, it'll be a different story from the last four years. But it's got to be done on my income.

WARE (*moves away left and thoughtfully extracts the long envelope from his pocket*). Talking of your income, Magdalen, how wise you were to adopt my suggestion the other day to sell your Great Western Debentures!

LADY WARE (*absently*). Perhaps I was. I hope I was.

WARE. I wanted you to sell at a good profit, which you succeeded in doing, and to reinvest in the Ordinary Stock. It will yield you a better dividend. (*Quietly*) It only needs your signature. (*Takes document out of envelope.*)

LADY WARE. Oh, I'll sign the—er—transfer, or whatever it's called, whenever you like. Have you it there? (*Sits in chair right of table, centre.*)

WARE (*left of centre table, facing her*). I have. Marston has just given it to me. (*Showing document and perusing it, then placing it on table with the top portion folded over.*)

LADY WARE. Let me see, I've got to put my finger on a seal or something.

WARE. Yes, that's desperately important. I'll

ring for Rate. He can be the witness. (*Crosses to fire-place below the sofa, reaching the smokers' table.*)

(MICHAEL ADYE *then comes from right of terrace and appears at window. He is a strong-looking, clean-shaven man of about thirty-seven, with a charming manner. He places his dustcoat and hat on a chair by the window.*)

ADYE. Well, my friend!

(WARE *shows annoyance at this interruption, which is not remarked by the other two.*)

LADY WARE. Michael!

ADYE. I left the car at the stables and walked up the drive. You got my telephone message?

WARE. M. A.! My dear fellow, how are you?

(ADYE *shakes* LADY WARE'S *hand, standing at the top of table, centre. She holds document.*)

ADYE. All the better for St. Andrews.

WARE (*shaking hands with* ADYE). Why aren't you at Doncaster?

ADYE. Ah, the first Leger I've missed for ten years. Some infernal work came in last evening and stopped me. A great bore! (*To* LADY WARE) I was to have gone down with Petworth, J. and John Murless.

LADY WARE. The Attorney-General?

ADYE. Yes.

LADY WARE. Mike, you've just turned up at the right moment. You can do me a trifling service, if you will?

ADYE. Only a trifling one?

LADY WARE. Yes, witness my signature.

WARE (*going up right, quickly*). But, my dear, to bombard a man just as——

LADY WARE. A lawyer would be a much better witness than a butler, wouldn't he?

ADYE (*laughing*). Well, he'd be as good. (*Goes to left of table.*) May I ask the nature of the document?

LADY WARE. Why, of course.

WARE (*centre*). Hadn't I better exp——?

LADY WARE (*pleasantly*). No, I think I'm capable of that much. I want to take some money out of one thing and put it into another.

ADYE (*nodding laughingly*). I see—a transfer.

LADY WARE. That's it. My Great Western Debenture Stock. It's title is some long rigmarole like that.

ADYE. But is it wise?

LADY WARE. I hope so.

ADYE. I mean, if you will both of you allow me to say so, is it wise at this particular moment—in the present circumstances?

LADY WARE. Well—er——

ADYE. It's on that account I've run down to see you as an old friend. I've heard something, and—(*taking her hand*) I'm awfully sorry.

LADY WARE (*biting her lip*). Thank you, Mike.

WARE. Thanks, old chap.

ADYE. Is it wise?

LADY WARE. I don't know. It might be a good thing to try to get a better yearly sum from the capital. (*All this time she keeps her hand on the document.*)

WARE (*quickly*). Oh, don't bother him now, Magdalen.

ADYE. How are you going to reinvest the proceeds?

LADY WARE. Well, Hubert thought——

WARE. I thought Great Western Ordinary.
ADYE. Is this transfer your own wish ?
LADY WARE. Well, Hubert advised me——
WARE (*quickly*). Still I may have been wrong.
ADYE. Of course, of course ! We can, all of us, come a howler sometimes.
LADY WARE (*to* ADYE). Well, here it is. So I'll sign it. (*She signs and gives him the document*) There !

(WARE, *hiding from them his agitation, goes down right.*)

ADYE (*gently*). Now I'll just see that all's in order for you, if I may. (*Sits left of table, centre.*)
WARE (*down right*). Oh, at any time, Michael. This is a bit of an infliction on a friend just as he arrives. (*Goes centre just above table.*)
ADYE Not the slightest.

(EUSTACE EDE *enters from up right. He has removed his collar and tie, and a towel takes their place. He sees* ADYE *and comes to up centre behind table.*)

EDE (*smiling stupidly at* ADYE). How d'ye do, Mr. Adye ? (*He shakes his hand in a limp, effeminate manner.*)
ADYE. How are you, my boy ?
EDE. Fairly well, thanks, except for the wasps and the heat.
ADYE. Going to bathe, eh? Best thing in the heat.
EDE. It's about the only occasion I've felt inclined for it. This lake's beastly, you know. It's so full of nasty big pike, and I'm terrified of 'em.

ADYE (*wisely*). They'll be much more afraid of you.
EDE (*dully*). Think so?
WARE (*brightly, and standing on his left and placing his arm round his neck*). Er—Eustace, I've sent my letter about you to the old people at Lausanne. I'm sure they'll be kind to you.
EDE. Thanks, Hubert. Awfully decent of you. (*To* ADYE) See you when I come back from my bathe, Mr. Adye?
ADYE. I hope so.
WARE. Eustace, don't stop in too long, old man.
EDE. All right.

(EDE *disappears through window to right of terrace.*)

ADYE (*perplexedly, on reading the document*). Ware.
WARE (*who is now watching* ADYE, *to* LADY WARE). Will you leave Mike and me for a little? I want just to talk things over with him—only a minute.
LADY WARE (*going to window*). Of course.

(LADY WARE *goes out by window and disappears to left of terrace.*)

ADYE (*quietly*). Er—Ware, I don't quite follow this—er—transfer.
WARE (*crosses up centre*). No?
ADYE. It's—er—not what your wife imagines it to be.
WARE (*innocently*). Not—er——?
ADYE. No, it's something entirely different.
WARE (*up left centre*). Different? Er—how? I—I don't follow. I——
ADYE (*with quiet firmness*). Nothing could be plainer, and I'd better be candid. You're trying, without your wife's knowledge, to obtain her signature to a deed which would transfer

the whole of her capital in this investment to *your* name, and give you the power to do what you liked with it. (*Rises.*) The stock has not been sold, and you know it.

WARE. Adye! You may make me forget you're a guest in my house. You, apparently, have lost sight of the fact.

ADYE (*quietly*). I had, for the moment, I admit. The gravity of the case appeared to me more important, particularly when it concerns one of my closest friends. Do I understand you dispute the conclusion I've come to?

WARE (*with an effort*). I do.

ADYE. Your wife is aware of the purport of—(*tapping the document*) this?

WARE. Yes.

ADYE. Then I must tell her I can't witness her signature to a deed which is so entirely different from what I understood—(*strongly*) and from what she understood. (*Going up*) I'll go to her now.

WARE (*stopping him by his voice*). No, no!

(ADYE *stops. There is a moment's pause.*)

Don't mention this to her.

ADYE. But—— (*comes down a little*).

WARE. Wait, for God's sake! My—my wife's been—awfully good to me.

ADYE (*looking in front of him*). I know she has.

WARE. And this might——

ADYE (*coming to his level*). Was I right, then? You *were* deceiving her?

WARE (*hanging his head*). Yes.

ADYE. Oh-h!

WARE. I've been almost driven mad, and didn't realize what I was doing. I don't know where to turn.

ADYE (*with contempt*). Except away from your wife.

WARE (*clutching his arm*). Don't tell her, Adye! I implore you not to tell her. It—it would pain her terribly, and——

ADYE. Yes, I think it would pain her.

WARE. Then you won't, will you? Don't tell her. Don't tell her. Let us tear the damned thing up and forget it ever existed. Don't tell her.

ADYE (*coldly*). No, I won't tell her.

WARE (*extending his hand, which* ADYE *ignores*). Thanks, old man, thanks.

ADYE (*contemptuously*). No, please.

WARE. Nor any one, nor any one in the world?

ADYE. It would pain her equally if I did that.

WARE (*in a whisper*). Thanks, thanks.

(WARE *goes round to the right side of the centre table to its top.* ADYE *remains motionless.* LADY WARE'S *voice is heard outside.*)

LADY WARE (*outside*). If the result comes through, I'll let you know.

WARE. She's coming back. What shall you say?

ADYE (*coldly*). You must leave that to my discretion. (*Puts the deed in his breast-pocket, which he taps*) I think my pocket is the safest place for this. I'll burn it when I get home. Of course the dividends will continue to be credited in your wife's pass-book as the stock is not sold, but the words "Great Western" will probably be sufficient for an unsuspecting mind like your wife's. You must risk that much. (*Crosses down left.*)

(LADY WARE *enters through window from left, and stays up centre.*)

LADY WARE. Well, can I come back? (*To* ADYE, *who goes to her*) Have you witnessed my signature?

ADYE (*naturally*). Yes, it's all done.

LADY WARE. Hubert, aren't you leaving Sir Henry rather a long time?

WARE. By Jove! I'd forgotten all about him. (*Going up to window and looking off towards left.*) But he's fairly occupied with Celia at croquet. He's eyeing a hoop as if it was a chess problem. (WARE *takes a casual glance at* ADYE *and* LADY WARE, *and feels confident that* ADYE *will keep silent.*) Well, that's that.

(WARE *goes off through window and disappears to left.*)

ADYE. Egerton here?

LADY WARE. He walked over from his cottage. He has to go to town to-night. Don't you think Hubert's amazing?

ADYE (*left of her, up centre*). Well, er——

LADY WARE. Don't you think he's extraordinary —abnormal?

ADYE. I've come across many in my work who bear a strong family likeness to him.

LADY WARE. But to look at him—to look at him you'd never realize the state of his affairs, would you?

ADYE. Nor a great many other things. (*A pause. Somewhat diffidently*) Magdalen, I'm awfully grieved at what I've heard. That's why I came down, to see if I could help in any way at all—and, if not, to extend to you all the sympathy that——

LADY WARE. Thanks, Mike, but there's nothing that any one can do—nothing.

ADYE (*after a helpless look and a pause*). At any rate I may try to extract a promise from you.

LADY WARE (*gently*). You may. What is it?

ADYE. Never to undertake any financial transaction before consulting me, no matter what it may be. That's to say, if you value my opinion, and I'm not too—inquisitive.

LADY WARE (*extending her hand, which he holds*). There's my hand. And you know how I value your opinion, Mike.

(ADYE *presses her hand warmly.*)

I could never think *you* inquisitive.

(*He just lowers his eyes, and she changes her tone to a bright one.*)

Or anything silly like that.

ADYE. Thanks. (*A pause.*) You know I almost feel a little hurt at your not consulting me beforehand over this—er—transfer just now. But, at any rate, no harm's done.

LADY WARE (*withdrawing her hand and biting her lips as she looks away*). You're the same dear old rock as ever. How good you are!

ADYE. Good! Why, for you I'd do anything in the world.

LADY WARE (*crosses a little down left, and sits in chair left of centre table*). I suppose Hubert's affairs are rapidly becoming public property?

ADYE (*centre*). They must shortly, I'm afraid. Some papers came into my chambers this morning bearing on them.

LADY WARE (*anxiously*). Nothing—dishonourable?

ADYE (*appeasing her*). No, no, no ; nothing of that nature.

LADY WARE. Oh, forget I ever said such a thing, won't you ?

ADYE (*biting his lips*). Of course. (*There is a pause.*) No, these papers of mine just point indirectly to—an inevitable bankruptcy of large dimensions. Nothing more, I give you my word. And any brief in which your name appeared I should, of course, return.

LADY WARE. Oh, the awful publicity of it all ! The disgrace ! The——! And not a shadow of an excuse to be found ! Nothing to soften it—nothing !

ADYE (*behind table, centre*). Yes, it's terrible for you, and damnably cruel.

LADY WARE (*setting her lips*). I don't know if you'll think I'm doing right, but, whatever my life may have been, and whatever it may have in store for me, I want to do—my duty. We shall have to live somehow on my income entirely. So I've resolved to stay with him in order to support him.

ADYE. Magdalen, the more you're tried the nobler you become. You're—very strong.

LADY WARE. No, no ! But I want to be.

ADYE. Let me help you then. (*A pause.*) Won't you lean on the—old rock ?

LADY WARE (*fearfully and looking into his eyes*). No, no, Michael. That's just it. That's the easy way. (*Steadily*) I want to be strong enough to come through this alone.

ADYE. If only you would let me help you ! (*Crosses to chair right of table.*) I should like to feel I was the one person who *could* help you—in any way you chose. I have known you a

long time now, not that that gives me any right to—— Still, I should—— (*breaking off*). Oh-h! (*She hides her real emotion from him. Then, as if to change the subject, after a pause*) It maddens me when I look at you and see you, the same girl I knew years ago without a care, now enduring a—I can't believe people like you are sent here for that. (*Crosses to up centre.*) The whole management of things is grotesque and farcical. It makes me rebel.

LADY WARE (*lightly*). It's no good rebelling. It has to be borne.

ADYE (*comes down left behind* LADY WARE). To be borne! That's the eternal cry. Why should it be borne by those who don't contribute one stone to the burden? That's what I should like to fathom. That's why I rebel. I hear the same story more or less every day of my life. The sound of the knocker at my chambers nine times out of ten is the signal for it. It's everlastingly the case of some wholly innocent creature bending under a load of wrong, of cruelty. (*Down left*) Ah, Magdalen, it's a miserable, monotonous tale. "Common form" as we lawyers say, in our day's work listened to and handled by us invariably in the same dull, heavy, machine fashion. It's only when we find those we—care for struggling to support the weight that we wake up and rebel.

LADY WARE. Yes, but you see my position?

ADYE (*strongly*). I do see your position. And it's torture to look *on*.

LADY WARE. There it is, Michael; a hard, big, solid fact which has to be met and endured. I shall simply have to buckle to like the rest of them. And, after all, I shall only be following the advice I know you'd give to any client in

the same plight. (*Recklessly*) I must try to get an interest out of it, an excitement.

ADYE (*left of her*). Excitement!

LADY WARE. Yes, of endeavouring to make both ends meet. It will be quite a novel experience.

ADYE (*strongly*). Which, apart from all this, ought to be impossible. (*Sits in chair left.*)

LADY WARE. How?

ADYE. Why, if your father's will had been a fair one.

LADY WARE (*dully*). Oh!

ADYE. That boy Eustace to come into all your father's money. It's a scandal it wasn't differently, at least equally, divided.

LADY WARE (*lightly*). My father was no advocate of woman's rights. (*Distractedly*) But what to do? That's the point. I'm so dreadfully helpless. If I could type, write shorthand, do accounts. . . . Oh, Mike, fancy *my* doing accounts! Stop a bit, though. I might run a hat shop. If I can do nothing else, I can trim a hat. That I know I can do. But for a hat shop you want capital, don't you?

ADYE (*sorrowfully*). Magdalen!

LADY WARE. Then I can sing, as you know. It's not a big voice, of course, but in the chorus, with the help of a pretty frock, it might do.

ADYE (*rises*). For God's sake, don't talk like this.

LADY WARE (*brightly*). I'm trying to be practical. I've got to be, you see.

ADYE. I can't bear it—that's all. (*Seizing both her hands and looking into her eyes*) I implore you to stop before you make me say what afterwards I'd give the world to undo. You shan't utter another word. My God, you shan't! (*They look into each other's eyes for a moment.*)

(*Very gently*) My dear, don't say any more. (*With a great effort he releases her hands and breaks away.*)

(WARE *and* EGERTON *enter by the window from left of terrace.*)

WARE. You've got a quarter of an hour anyway.

EGERTON. That's all right.

(WARE *crosses down right centre.*)

Hullo, Adye! How are you? . . . You arrive, and I'm off.

ADYE. Oh, not yet. (*They shake hands, left.*)

EGERTON. I must, worse luck! I have to go up about the Soho murder.

ADYE. Anything fresh?

EGERTON. I'm not sure. I shall know to-night. A thin case, Adye.

ADYE. So it struck me.

EGERTON. If I'm in doubt, I think I must consult Ware. He's a master at our job.

(*Telephone bell rings.* WARE *picks up receiver and listens.*)

WARE. Some one wants to speak to Marston. (*Calls him from window looking left.*)

(GURNEY *enters excitedly. He is followed by* CELIA.)

GURNEY. That's the race!

WARE (*behind sofa*). Now for your fate, Marston.

CELIA. And mine.

GURNEY (*swallowing*). You answer it, Celia.

CELIA. Shall I? (*Sits right of table, centre.*) But supposing——?

GURNEY. Well, it can't be helped, that's all.

CELIA (*taking off the receiver with trembling hands*). Y-e-s? (*Gasps*) Who-o-o is — it? (*Pause.*) Turnford? (*About to put down receiver with disappointment.*)

GURNEY (*stopping her*). Yes, that's the chap!

CELIA (*putting receiver to her ear*). Ye-e-es. I'm Miss Wilson.

GURNEY (*who has come down to her left*). Never mind who you are.

CELIA (*dully*). What?

WARE. Beaten. I told you so. (*Sits in chair down right.*)

CELIA (*hysterically*). It's—it's—it's won!

GURNEY (*wildly*). Won? (*Snatches receiver from her and speaks excitedly into it*) What! It's won? "Aeroplane"? A-O-R-P-. (*All laugh.*) Oh, please! It's won! (*He gradually collects himself, as does* CELIA.)

EGERTON (*calmly*). Capital! You got thirty-three to one, you told me.

GURNEY (*at top of table*). Yes.

ADYE (*over left*). Good man!

LADY WARE (*seated left of table, centre*). Well done, Marston!

CELIA (*with some conceit*). Yes, but I backed him too!

ADYE (*laughing*). Heavily?

CELIA (*pouting her lips with pride*). Very! Five shillings everywhere.

LADY WARE. Hurrah!

(EGERTON *excitedly calculates amount of* CELIA'S *win.*)

EGERTON. That makes ten pounds. (*Delight of every one.*)

(CELIA *joins* LADY WARE *left of table.* RATE *enters up right, looking agitated. He pauses for a moment as he looks round. He speaks through the general excitement.*)

RATE. Can I speak to you a moment, Sir Hubert?
WARE. Yes, what is it? Anything important?
RATE (*nervously*). Yes, Sir Hubert. (*Signifies that he wishes* WARE *to go to the hall.*)
WARE (*rises, crosses to* GURNEY, *pats him on back*). Bravo!

(RATE *allows* WARE *to pass out of the door into the hall and follows him off.*)

EGERTON. That's splendid—perfectly splendid!
CELIA (*looking up suddenly*). Now, Marston, how much had you on?
GURNEY (*shyly*). Well, I'll tell you. I—I did rather a bold thing, I'm afraid, but I felt pretty reckless. I have a little bit of capital, and—well, I have a bit of capital, and——
CELIA (*anxiously, while the others regard* GURNEY). Well? Yes—go on! Do!
GURNEY (*suddenly*). I put a hundred on to win.
CELIA. A hundred! (*She is quite dazed and begins to calculate rapidly on her fingers.*)
LADY WARE *and* EGERTON. A hundred!
ADYE. You lucky young devil!
CELIA. Then you've—you've—you've——
GURNEY. Yes! At—thirty-three to one, that's——
EGERTON. Over three thousand pounds!
GURNEY (*rather dazed*). Yes, I've won three thousand!
LADY WARE. Splendid!

CELIA (*excitedly*). Marston, you're—you're a genius! (*Goes behind table to left.*)

(WARE *enters up right hurriedly, looking very pale.*)

WARE. Magdalen! Magdalen! (*He comes to right centre.*)

LADY WARE. What's the matter? What's the matter?

WARE (*almost speechless*). I don't know what to say. Rate called me out just now to tell me, and——

LADY WARE (*with growing alarm*). Yes?

WARE. Eustace!

(*General alarm on the part of all.* EGERTON *crosses to* WARE *on his left.*)

LADY WARE. What? What?

WARE (*gasping out the words*). One of the gardeners—he went to the—to the bathing-shed—a few moments ago——

(LADY WARE'S *alarm increases.*)

He—he—he—found Eustace's towel and—clothes there—his flannels he was wearing here—in this room—just now. But—but—the (*he stutters*) boy—is *not* there. He's——!

(LADY WARE *suppresses a cry.* CELIA *is by* LADY WARE.)

ADYE. What——?

EGERTON. Drowned?

WARE. No doubt about it.

EGERTON. Good God!

WARE (*motioning to them*). Egerton, Adye, come with me. Celia (*indicating* LADY WARE), stay with her.

(WARE, EGERTON, and ADYE *all go out through window to right of terrace, leaving* GURNEY *up centre,* LADY WARE *seated left of table centre and* CELIA *kneeling by her.*)

END OF THE FIRST ACT

SECOND ACT

The morning-room of LADY WARE'S *sumptuous West End flat in London. In the centre of the back wall there is a mahogany door opening out to an oak-panelled hall, the floor of which is higher than that of the room by two steps. In the angle of the right wall there is a second mahogany door, which, with its handle nearest the audience, opens out to the dining-room. In the angle of the left wall there is a bay-window approached by two steps. It has a window-seat and opens low. Its curtains are not fully drawn to. Below the window at a right angle to the audience there is an elegant mantelpiece.*

The dainty furniture is placed as follows: Almost in the centre a beautiful red lacquered settee; on its immediate right a small table; to the right of that an easy-chair; against the wall, with its keys facing the audience, a Baby-grand pianoforte with a music stool in front of it; left centre, in the neighbourhood of the fire-place, a sofa facing the audience, with a stool on its right; a red lacquered chair on either side of the centre door. A lady's writing-block lies upon the window-seat.

The room is decorated charmingly after the Adams period. Its walls are of the deepest cream shade—almost a yellow. The cornice and ceiling are of the same colour. The silk window curtains are of a rich amber tint. Upon the walls are here and there elegant electric light fittings with pink shades. A switch outside the centre door controls them. A small standard lamp with an amber shade stands upon a table above the

fire-place. There is a profusion of costly cushions and some flowers.

It is a cold November evening, two months later than the previous Act, before dinner. The electric lamps are alight, and the fire burns.

(CELIA, *dressed in a charming dinner-gown of complimentary mourning, is seated on sofa left, reading a book.* GURNEY *enters at the back softly. He is dressed in a lounge suit. He tiptoes down centre and sits on settee, right. He taps on table twice.* CELIA *at second tap says: "Come in!"* GURNEY *then coughs violently.*)

CELIA (*turns, and seeing him, rises*). Marston! How you startled me!

GURNEY. You darling!

(*They embrace.*)

CELIA. Bless you!

GURNEY. It seems ages since I've done that.

CELIA. Yes, two whole months.

GURNEY. It makes me feel quite shy, er—and bashful.

CELIA. Don't be so stupid.

(*They embrace again.*)

GURNEY. No luck in Canada, Celia.

CELIA. Never mind. (*Sits on sofa, left.*)

(MARSTON *sits on her right.*)

GURNEY. I thought I was going to get the job all right, and then they kept me dangling on for all these weeks with the chuck at the finish.

CELIA. A horrid shame.

GURNEY. I'm in for something better, though. I'll tell you presently, you dear thing. I say, I've just seen Lady Ware. How has she been?

CELIA. She's much better now, but it's been a dreadful time for her.

GURNEY. Must have been awful. Awful! I shall never forget my feelings when I saw that paper in Montreal and read of that inquest verdict—"Wilful murder against a person or persons unknown." Perfectly scandalous!

CELIA. Still, there was evidence. Oh, it was appalling!

GURNEY (*rises and closes door at back*). What I read wasn't enough to hang a dog on. Now, listen to me, Celia. Eustace goes to bathe alone. He's about the worst swimmer going, and there's a bruise on his forehead, caused, I'll lay any money, by some struggle or other to save himself by the punt.

CELIA. Yes, but the punt was detached from the stake on the bank. That was how it was found —against the bank with the chain unfastened. And when they dragged the lake the body was recovered from the weeds some way out.

GURNEY (*at centre*). Well, my dear, Eustace must have detached the punt, because I fastened it tight after I had bathed before him.

CELIA. I know, but he never used it. And Henson, the gardener, from the other end of the lake, thought he saw a dressed figure of a man in the punt right away from the bank. Didn't you read that?

GURNEY. No. But what reliance can be placed on a rotter like Henson? Short-sighted and with a craving for beer. Still, there you are; a coroner's jury is capable of anything. Simply scandalous!

CELIA. With only one good side to it all.

GURNEY. What's that?

CELIA. Magda coming into Eustace's fortune, and the good she's done with it.

GURNEY. How do you mean?

CELIA. She's paid all Sir Hubert's debts.

GURNEY. She has! I knew she would. But the Ware case is not an exceptional one. She's a nailer, and so are you. (*Joins her.*) Do you know, all the way over in that beastly boat I thought of you, and wondered how you'd look. And you look—well, you look——. (*He embraces her fondly.*) That's how you look! What do you say to our marrying in a couple of months' time? Are you game?

CELIA. Of course I am.

GURNEY. Can you face a bit of a pinch at the start with better times to come?

CELIA. I can face anything. A real good struggle is just what I should love. And a parson's daughter ought to manage that. I'll give up cigarettes from to-night.

GURNEY. And I'll smoke five-and-ninepennies instead of six-and-threepennies. Two months' time, dear! I'm getting desperate.

(LADY WARE *enters at back, wearing a handsome white dinner-gown.*)

LADY WARE (*coming down right centre by piano*). Desperate again, Marston? No more "Aeroplanes," I hope.

GURNEY (*laughing and approaching her a little*). No, I've done with that.

CELIA (*with dignity*). We've permanently retired from the horse course.

GURNEY. Joking apart, though, I've given Celia my solemn word I'll never make a bet again.

I've made my pile, and the "ring" will never have the chance of getting it back from me.

LADY WARE (*shaking her head*). Then the "ring" has altered its character.

CELIA. Whose ring?

GURNEY (*behind sofa, right centre*). Whose ring? Celia, my dear! No, but seriously, I've invested every penny of it and settled it on Celia, who also can't touch it without the consent of the trustees. I've seen about a deed to-day, the moment I got to London. That's why I'm a bit late.

LADY WARE. You're a brick.

CELIA. He's a genius.

GURNEY. And M. A. is to be one of the trustees. I left him just now at the Temple.

LADY WARE. Michael?

GURNEY. Yes. And now for the surprise. With the bit I already had, plus my win on "Aeroplane," I can afford to wait for a practice at the Bar. That's what I'm going to do. And Adye's a topper.

LADY WARE (*looking in front of her*). How?

GURNEY. He's fixed it all up with his brother. And the brother is taking me into his chambers.

CELIA (*on sofa, left, delighted*). Marston!

LADY WARE. How good of Mike!

GURNEY (*at centre*). So I'm launching out, you see. And I've asked Celia to marry me in two months' time. By then I hope to get some sticks together for her.

CELIA. Darling, you're not going to start by beating me!

LADY WARE (*taking his hand warmly*). Good luck, Marston. Michael hasn't forgotten he's dining with us to-night, I hope?

GURNEY. Oh no, he was going home to dress (*going up centre*), which I ought to be doing, by Jove! Any one beside Adye coming? Fancy dress, I mean.

LADY WARE. Only Sir Henry Egerton.

GURNEY. The old dinner-jacket, eh? Right oh!

(GURNEY *goes out at back, closing the door after him.*)

LADY WARE (*crosses to sofa, left, and sits on its right arm*). This is splendid news.

CELIA. Isn't it ripping? It only has one awful side to it.

LADY WARE. What's that?

CELIA. It means my leaving you. I can't bear that thought.

LADY WARE. But there, it's right—just as it should be. And Marston will do well, I'm certain. (*Sits in right corner of sofa.*) He said something about getting your sticks together. But that's what I mean to do.

CELIA (*excitedly*). Magda!

LADY WARE. I'm going to buy you the lease of a house, and furnish it from top to toe. That's my wedding present.

CELIA. You darling! (*Kisses her warmly.*) How can I ever—— ?

LADY WARE. By never alluding to the subject again. (*Pats her cheek.*)

CELIA. How adorable of M. A. to do that for Marston!

LADY WARE. Yes, he took a great fancy to you both down at Wilbury—at that awful time. And —and then he knew I was anxious about you, and—and—— (*She breaks off thoughtfully.*)

CELIA (*gently*). What is it?

LADY WARE (*with agitation*). Nothing—nothing——

CELIA. Yes, there is something.

LADY WARE. Nothing that's new. It's as old as the hills with me.

CELIA. Do tell me what it is.

LADY WARE. Michael. At every turn I seem to meet him connected in some way with my life; if not with mine directly, with some one's I care for. It's always an action of kindness, of sympathy, of affection, and try as I may to take it all for granted I utterly fail to do so. Every resolution I make totters to the ground, and I find myself weakening, drifting—— (*Rises and goes to centre.*)

(CELIA *is about to interrupt.*)

Yes, seeking his advice first in one thing, then in another, till I'm face to face with the fact that I'm making excuses for seeking it—in everything, and finding him—indispensable.

CELIA (*stoutly*). But you——!

LADY WARE (*deliberately*). He loves me, and I know it. I love him, and he knows it.

CELIA. Magda!

LADY WARE. Oh, he's told me nothing in words, nor I him. We neither of us need do that. It's there—there! If he keeps away from me I know the reason. If I avoid him he guesses why, as I suppose he guesses my object in asking him here to-night.

CELIA (*with alarm*). Why have you asked him, Magda?

LADY WARE (*looking in front of her*). Because weeks have passed without my seeing him, and I've found them—deadly. There's my open, frank confession, which I would make to no other living creature in the world.

CELIA (*seriously*). Not—to him?

LADY WARE. I've not lost my head—yet. (*With a shrug of her shoulders*) I've only lost my heart.

CELIA. Wouldn't it then be wiser if you and he——?

LADY WARE. Never met? Out of sight, out of——? An exploded notion, my dear.

CELIA (*lightly*). I'm not so sure. I know when I don't see Marston I'm not nearly so helpless as when I do.

LADY WARE. Ah, Celia, your story is very different from mine. It always had a happy ending at your command. Mine's one that—— (*Sits on settee, right.*) Yet ninety-nine women out of a hundred, placed as I am, would——

CELIA (*crosses to left of* LADY WARE). Yes, but there's the one remaining who wouldn't, and that one's you.

LADY WARE (*quietly*). What would you do if I did?

CELIA. I—I should be sorry.

(*A slight pause.*)

LADY WARE (*in a lower tone*). Disappointed?

CELIA (*biting her lips*). Very.

LADY WARE (*somewhat recklessly*). And join the rest of my friends in cutting me?

CELIA (*stands behind* LADY WARE'S *settee*). That's not kind of you. Nothing you ever did could change me towards you—nothing. But I should feel the blows that others dealt you—terribly.

LADY WARE. Don't be afraid. I shan't give them the chance of dealing them. (*Controlling herself*) I'm all right. I shan't yield.

CELIA (*looking down at her smilingly*). Be the excuse ever so mighty?

LADY WARE (*mimicking her tone*). Be the excuse ever so mighty.

(A FOOTMAN *enters at back and brings evening papers.*)

Just give me the evening papers.

(FOOTMAN *hands them to her.*)

You might draw the curtains.

(FOOTMAN *does so.* LADY WARE *takes up one of the papers and glances at it.*)

CELIA (*brightly and sitting at piano with her back to the audience and playing softly the accompaniment to a pretty song*). Magda, you must read the book I got to-day.

(*This conversation is adopted because of the* FOOTMAN'S *presence.*)

LADY WARE (*perusing the paper*). What is it? Somebody's Reminiscences?

CELIA. How did you know?

LADY WARE. Because it rains Reminiscences.

CELIA. I think, though, I prefer fiction—imagination.

LADY WARE. Imagination, my dear—is the hall mark of Reminiscence.

(FOOTMAN *goes out at back.*)

Celia, I don't think you believed me just now.

CELIA. Why?

LADY WARE. I don't know. You didn't somehow look so sure of me.

CELIA (*trying to pass it off*). Nonsense! Come, sing this.

(LADY WARE *rises and sits by* CELIA *on the stool. She sings a charming song to* CELIA'S *accompaniment. Presently,*

glancing at the paper while singing, she stops with a start.)

(*Ceasing playing*) What's the matter?

LADY WARE (*after a pause*). There's something in the paper—about poor Eustace.

CELIA. What?

LADY WARE (*reading a passage*). "The police offer two hundred pounds reward to any one able to——" (*She crumples up the paper and throws it from her and goes left.*) Oh! it's unending, this horror! Why, in Heaven's name, can't they let it rest? They can never discover anything now, even if there was anything to discover. And time has proved more and more the cruelty of that verdict. It was wicked—monstrous!

(WARE, *in a lounge suit, comes in at the back.*)

WARE. Ah, you're dressed early. Has Marston turned up?

CELIA. Yes.

WARE. How is he?

CELIA. In great form.

WARE. Splendid fella! He should have been with me to-day. I was putting like an angel. (*Noticing* LADY WARE'S *expression and coming to behind table, right centre*) Anything wrong?

CELIA. Magda is distressed at something in to-night's paper, Sir Hubert—about Eustace.

WARE (*gently*). Ah yes, this reward. I saw it at the club. (*To* LADY WARE) I'm sorry—very.

LADY WARE (*by fire-place*). Something must be done to end this.

WARE. But what?

LADY WARE. I don't know and I don't care,

but something—anything—it's unendurable! (*Sits on sofa left.*)

(RATE *enters from up right.*)

RATE. The wife has sent the flowers up from Wilbury, my lady. Does your ladyship want them arranged on the dinner-table?

LADY WARE. Yes, please.

(RATE *makes movement to go.*)

WARE. Er—Rate—I was going to ask you. Your wife might arrange now for some one else to take charge of Wilbury. You must be anxious to have her back in London with you.

RATE. I'm not in the least, Sir Hubert. The wife's in—er—delicate 'ealth just now, Sir Hubert.

LADY WARE. Oh, I had no idea——

RATE. Yes, my lady. She be expecting before long a little permanent society. I beg pardon, my lady, but I've also received a letter enclosed with the flowers from the wife, who tells me the police were down at Wilbury yesterday dragging the lake again.

LADY WARE (*with suppressed anger*). Oh-h!

WARE. Again?

RATE. Yes, Sir Hubert.

WARE. But why?

RATE. It's only the police that can tell, Sir Hubert. I don't think they know themselves. That's what the wife says in her letter, adding in a postscript, Sir Hubert, "The police is baffled, and when the police is baffled the police is baffled."

WARE. But is Mrs. Rate sure they were the police?

RATE. Quite sure, Sir Hubert. And when the wife's reliable, which she frequently is, I attach considerable importance to her observations. She spoke with the police, Sir Hubert.

WARE. And I suppose as usual they discovered nothing?

RATE. The wife swears to their reticence, Sir Hubert. The Inspector went into the house also.

LADY WARE (*impatiently*). Oh-h!

WARE. Into the house?

RATE. Yes, Sir Hubert. He told the wife you gave him permission after the inquest to go wherever he liked. He went from room to room, looking round, with one of his men, but the wife stuck to them, which the wife was quick enough to see they didn't want, until they reached the library. There they ejected her, Sir Hubert, and remained some time alone.

WARE. The library?

RATE. But the wife felt quite comfortable about that, Sir Hubert, as all the cigars had been removed.

LADY WARE (*impatiently*). That will do, Rate.

(RATE *goes off up right.*)

(*Strongly*) I tell you, Hubert, this must end.

WARE. Still, they must do their duty, I suppose.

LADY WARE. Their duty! If there was any sense in it, perhaps so. Nothing can ever alter the horrible tragedy of it all. And when one knows they are going on simply because of that iniquitous verdict it's insufferably cruel.

WARE. You know how I've sympathized with your feelings all through this. But there's one person we owe it all to—Henson.

CELIA. I was speaking of his evidence to Marston just now.

WARE. Well, does Marston think anything of it?

CELIA. No, he places no reliance on it at all.

LADY WARE. Of course not.

WARE. It all comes, Magdalen, from your insistence to overlook that brawling of his in the village six months ago, when he was had up before the bench.

LADY WARE. Oh, I know, I know!

WARE. If we had got rid of the fellow then we should have been spared all this.

LADY WARE. Anyhow, directly Sir Henry Egerton arrives I shall beg him to do all he can to prevent this going on.

(FOOTMAN *enters at back.*)

FOOTMAN. Some one at Scotland Yard has rung up, my lady, to say Sir Henry Egerton is prevented by important business from dining with your ladyship to-night.

LADY WARE. Thank you.

(FOOTMAN *withdraws.*)

It's a little late to—— (*To* CELIA) Would you mind telling Rate for me?

CELIA (*rising from music-stool*). Of course. I'll help him do the flowers.

(CELIA *goes off up right to dining-room.*)

WARE. Well, I suppose I must go and dress.

LADY WARE. Not for a moment. I have something to say to you, Hubert.

WARE. Will it take long?

LADY WARE. I can be as brief as you wish.

WARE. Oh, I don't want to bustle you.

LADY WARE. I merely wish to tell you of a determination I have arrived at.

WARE (*lightly*). Sounds portentously serious.

LADY WARE. I have decided that it would be better if you and I lived apart.

WARE. I was under the impression we had come to that understanding in the now almost dim and distant past.

LADY WARE. I mean under separate roofs.

WARE (*with some misgiving*). But why?

LADY WARE. Because it would be happier for us both. At any rate, it would be happier for me. You've nothing to fear as regards money. A regular income in keeping with your position is to be provided for you out of a portion of my capital. And there will be only one necessary condition.

WARE. Yes?

LADY WARE. That you don't exceed it. I shall do no more than I agreed to do. I have arranged the deed to-day.

WARE (*quickly*). And the amount of the income?

LADY WARE. I've not acted ungenerously towards you. In fact, I've endeavoured to err in the other direction.

WARE. Magdalen, why this sudden decision?

LADY WARE. Sudden! Great Heaven! Why, over and over again I've battled with the intention to leave you, and in the end, like a weak fool, have borne any treatment you've chosen to—— I've endured it and—bent under it for three years——

(WARE *moves impatiently.*)

Yes, three years. Three years hacked out of my life! Of course I ought not to have submitted for a moment when I first found you

out. I see that now. But you know why I did. Like thousands of women in the same plight—you know perfectly well I was easily held captive by my baby.

WARE. But after he died you stopped on.

LADY WARE. I know that. Because *nothing* seemed to matter then. Each day dragged by like the one before without a streak of light in it, and the tale of your faithlessness to me became monotonous and expected. *I got used to it.* So used to it that it needed something new to—to bring me to life again. That happened two months ago, when your ruin came—a ruin, you must admit, without a shadow of an excuse. Even then, though—even then I decided to stay with you because it was vital to you that I should. I told you so. It was the day Eustace was drowned. Do you remember?

WARE (*quietly*). I remember.

LADY WARE. But from that moment everything was changed. That—awful thing altered my position completely. I've paid your debts. I've met every single one of your creditors in full. I've provided for others whose lives you've——

WARE. For others?

LADY WARE. Yes, I've settled the last case *only to-day* across a solicitor's table. Mrs. Scale was the woman's name. You owed her two thousand pounds. It took some doing, but I set my teeth and went through with it somehow. Further I can't go. (*Breaking down, she rises and goes up centre.*)

(*A pause.*)

WARE. Look here, Magdalen, can't we start afresh?

LADY WARE (*shaking her head*). No it's too late for that.

WARE. Of course, with two well-known people like ourselves, if we separate there's bound to be gossip—publicity—and all that. Perhaps, though, that doesn't much matter.

LADY WARE. Publicity! Can there be more than we have to bear now?

WARE. You mean?

LADY WARE. This terrible end of Eustace. Can we ever get away from it? Never, it seems to me.

WARE. It's awful, of course, but—(*reassuringly*) time, you know——

LADY WARE (*behind table, right centre*). Time! time! It's two months now, and just as one thinks the horror of it all is passing, out it comes to haunt one with a new lease of life. Wretched bungling police and their red tape! Oh, the wickedness of that verdict!

WARE (*up left centre*). Ah, well, perhaps this is the end of it.

LADY WARE. It will never end.

WARE. On the face of it, then, isn't this a time when, if we both did our best, we might help each other? Can't we start afresh, you and I?

LADY WARE (*sadly*). Impossible.

WARE. Can't I try to—make amends for—what's gone before? Can't we patch it up—pick up the broken pieces?

LADY WARE. The broken pieces are strewn everywhere. Some are lost for good; others are beyond repair.

WARE (*advancing towards her*). You've never spoken so—finally before.

(*The front door bell is heard.*)

LADY WARE (*roused for a moment by the bell, and after a moment's thought*). I've never felt so determined. I—I don't want to be too cruel, but all sympathy between us is——

WARE (*crosses to fire-place*). What could I do to revive it?

LADY WARE (*sadly*). You? Nothing. It would need a great something from outside to bring that about.

(FOOTMAN *enters at back, followed by* MICHAEL ADYE *in dress clothes.*)

FOOTMAN. Mr. Adye.

(*The* FOOTMAN *goes off.* ADYE *comes down—* LADY WARE *greets him centre.*)

ADYE (*indicating* WARE'S *day clothes*). Ah, I'm in good time, I see.

WARE. How are you, Adye?

ADYE. Fairly fit, thanks, except for the east wind. I'm becoming painfully conscious of it. Ha! ha!

LADY WARE. What nonsense!

WARE (*going up*). I don't believe you.

ADYE. Word of honour. Why, if I have to cross-examine a witness when the wind's in the west I'm a perfect lamb with him. But if it's in the east I give him hell.

(*The others laugh.*)

But at any rate (*to* LADY WARE) it hasn't stopped my keeping faith with you, and coming early, as you asked me to do.

WARE (*regards his watch*). I must cut and dress.

(WARE *goes out at the back.*)

(*A pause.*)

LADY WARE (*crosses to settee, right, and sits with her left hand lying on back of settee*). Mike, I may as well tell you now. This is the last time you will dine with my husband and me.

ADYE. Why, what have I done?

LADY WARE. We're—we're going to separate.

ADYE (*after a pause*). Finally?

LADY WARE. Finally.

(*A pause.*)

A little time ago, before everything was suddenly changed for me, I was ready to stay on to help him, but now it's all so different.

ADYE (*at centre*). You mean you can afford to——?

LADY WARE. Arrange for him to have everything in accordance with his position. I intend to behave liberally to him. It will be a question of an income solely.

ADYE. I see. (*Comes to behind settee and takes her hand almost passionately. He then releases her hand awkwardly.* Magdalen, I think I'd better not stay here. Wouldn't it be better if I—if some telephone message had just come through calling me away, or——?

LADY WARE (*quickly*). No, no, Mike, I—— (*She looks down, her attitude being one of nearly yielding to him.*)

ADYE. I think it would, really.

LADY WARE. No—don't do that. I'm nervous to-night—apprehensive somehow—and I should like you to stay—just to steady me. Silly of me, isn't it? But I feel—— (*She shivers and looks up at him. Then after a moment she breaks off*) Mike, I've known you the requisite number of years, I think. Put some coal on, like an angel, will you?

(*He pats her hand which is lying on back of settee, and then as a friend kisses it. He then goes to the fire and puts on a coal or two, she watching him tenderly, while his back is turned.*)

ADYE (*making conversation*). It's this beastly east wind. That's what it is. It changes one's point of view of every mortal thing, and entirely smothers one's sense of humour.

(*Pause.*)

LADY WARE (*forcing a conversation, and going to piano, where she sits*). Michael—I—er—read your speech in the House last night. Splendid. It was worthy of Drake.

ADYE. Ho ! But what's the good of it ? Words. Does the country ever listen to words ?

(LADY WARE *plays the piano and warbles the air.* ADYE *watches her lovingly, and, like the moth to the candle, crosses over and sits in chair left of piano near her. He gazes at her.*)

LADY WARE (*noticing him, stopping playing and making conversation*). But I was forgetting.

ADYE (*gently*). What were you forgetting ?

LADY WARE. To thank you for a great kindness you've done to-day.

ADYE. I ? What ?

LADY WARE. To Marston.

ADYE. Oh, that—that's nothing.

LADY WARE. I'm so grateful to you on Celia's account.

ADYE. Marston's all right, and my brother Dick is delighted to have him as a pupil.

LADY WARE (*thoughtfully*). But a pupil has a fee to pay, hasn't he ?

ADYE. But this is a matter of love with Dick. He's doing it to oblige me.

LADY WARE (*biting her lips*). How good of you! (*She plays again.*)

ADYE (*awkwardly and dismissing it*). Nonsense! I—— (*He breaks off with some discomfort.*) Do you intend to live in this flat after you and your husband have——?

LADY WARE. Oh yes.

ADYE. And to keep on Wilbury?

LADY WARE (*ceases playing*). No, no. Don't let us talk of Wilbury. It's a nightmare to me.

ADYE. Ah, I'm sorry.

LADY WARE. Not that I can ever escape from it. I suppose you've seen the evening papers?

ADYE. Yes. Still, my dear Magdalen, I'm afraid it has to be borne. The police have to do their duty.

LADY WARE. But a search for a purely imaginary person! Perfectly futile!

ADYE. Perhaps they don't think the person purely imaginary. In fact, I know they don't.

LADY WARE. How?

ADYE. From Egerton. I saw him three days ago.

LADY WARE. He was to have dined with us to-night.

ADYE. So he told me. Isn't he coming?

LADY WARE. No, unfortunately. He's just telephoned that he's prevented. I was going to beg him to have no further steps taken in the matter. What did he say?

ADYE. He and the Director of Public Prosecutions take the view of the coroner's jury, that it was—foul play.

LADY WARE. Oh-h! How can they? Don't you think it preposterous?

ADYE (*hesitating*). Well—er——

LADY WARE (*regarding him*). Michael, do you agree with them?

ADYE (*after a moment*). Well, I see their point of view.

LADY WARE. But on that evidence alone?

ADYE. I have nothing else to go upon. There are certain things that are inexplicable and not consistent with accidental death.

LADY WARE. You mean?

ADYE. Well, the unfastened punt which Marston had fixed shortly before, and which the poor boy never used. Again, that bruise on the forehead caused before death was certainly consistent with a struggle of some kind. And the evidence of the under-gardener.

LADY WARE (*contemptuously*). Henson!

ADYE. Which if it stood alone I agree would amount to very little. But it doesn't stand alone. One has to take it with the rest. And I'm afraid you must be prepared for the police not letting the matter drop till they've searched every channel that——

LADY WARE. But the motive for such a crime?

ADYE. Ah, that's often the crux.

(CELIA *enters at back, followed by* GURNEY, *who is now in evening dress.*)

CELIA (*coming down to* ADYE, *who rises*). M. A., you're an angel. (*They shake hands.*) Thank you so much for your goodness to Marston.

ADYE. Oh, don't talk of that.

CELIA (*quietly*). But I'll tell you what your brother will find him.

ADYE. What?

CELIA (*with great pride*). A genius! (*Crosses to* MARSTON, *who is down left centre.*)

(WARE *enters at back in evening dress.* RATE *enters right.*)

RATE. Dinner is served, my lady.

(LADY WARE *rises and goes off up right with* CELIA *and* ADYE.)

WARE (*to* GURNEY). Well, my future Lord Chancellor, you'll look well in a full-bottomed wig. You ought to have been with me to-day at Sunningdale. I did an 82 in a gale of wind!

(*Both go off together up right.*)

(*The room is empty.* FOOTMAN *enters at back. He comes to the sofa and bunches up the crushed cushions. He does the same with those on the settee. He picks up the newspaper from the floor and places it on the table, left, turns out the electric lamp on the table, left, and is tidying the grate when an electric bell is heard. He goes out at the back, closing the door after him. The lights then go out, and the room is in darkness except for the fire glow. After a moment or two the* FOOTMAN *re-enters at the back. He turns up the electric light from outside the door. He is followed by* SIR HENRY EGERTON, *who is wearing day clothes and carries a hat.*)

FOOTMAN. Will you wait here, Sir Henry, and I'll tell her ladyship.

EGERTON. No, stay. (*He puts his hat down on the settee, right centre, and comes down centre in serious thought.*) I don't want her ladyship to be told I'm here.

FOOTMAN. Very well, Sir Henry.

EGERTON. Her ladyship and Sir Hubert are at dinner, you say?

FOOTMAN. Yes, Sir Henry.

EGERTON. It's not a party, I think?

FOOTMAN. Only Mr. Adye, Mr. Gurney, and Miss Wilson, Sir Henry. (*Pause.*)

EGERTON. I want to write a note. Can you give me a piece of paper and an envelope? (*Sits on settee.*)

FOOTMAN. Certainly, Sir Henry. (*Gets paper and envelope from writing-block up left and hands it to* EGERTON.)

EGERTON. Thank you. (*He begins to write a note very deliberately. After some time he concludes it and places it in the envelope, sticking it down.*) I want you to give this note quietly to Sir Hubert.

FOOTMAN (*on his left*). Yes, Sir Henry.

EGERTON (*giving him the note*). Without disturbing any one else or mentioning my name. You understand?

FOOTMAN. Perfectly, Sir Henry. (*Approaches door up right.*)

EGERTON (*rises*). One moment. (*Crosses down to below piano, so as not to be seen from the dining-room.*) Now.

(*The* FOOTMAN *with the note goes off up right, closing the door after him. While it is opened the voices at the dinner-table are audible.*

EGERTON *follows the* FOOTMAN *with his eyes, and then after a pause crosses to fireplace. He pauses, and then goes up thoughtfully to door at back, where he stops. He then opens the door, looking furtively into the hall. He recloses it. At this moment* WARE *enters up right quickly.*)

(*With a finger to his mouth.*) 'Ssh !

(EGERTON *motions to* WARE *to shut the door, which he does,* WARE *then coming right centre.*)

WARE (*quietly*). What's up, Egerton ? (*Gives his hand to* EGERTON, *which he retains.*) I thought you couldn't come. Anything—wrong ?

EGERTON (*frowning*). I'm afraid there is. (*Lets his hand go.*) Your wife doesn't know I'm here ?

WARE. No. You asked me in your note not to mention your name. She merely thinks some one's come on important business.

EGERTON. That's all right.

WARE. But what the devil's the matter ? You look like a thunder-cloud.

EGERTON (*up centre*). I have an appalling task to perform.

WARE (*on his right*). How do you mean ? Can I help you in any way ?

EGERTON (*steadily*). You can, Ware.

WARE. Good. Fire ahead then.

EGERTON. You can help me by trying all you know to keep your nerve—— (*Placing one hand on* WARE'S *shoulder and looking him straight in the eyes*) and by believing that never in my life have I suffered as I'm suffering now.

WARE. I—I'll try. Let's have it.

EGERTON. This evening—a warrant has been issued for—your arrest.

WARE (*looking straight at him, without flinching*). My — my arrest ? (*In a stronger tone*) For what—in Heaven's name ?

EGERTON (*almost in a whisper, while he still holds him*). The murder of Eustace Ede.

WARE (*raising his voice*). What !

EGERTON (*releasing his hold*). 'Ssh !

WARE (*controlling himself, after a pause*). Oh ! you're—you're joking, Egerton. (*A pause.*) Or you're mad ! You don't know what you're saying. You're—— (*Speaking wildly*) I ! I ! Good God ! (*He shivers.*)

EGERTON (*again clasping him with both hands.*) Steady, man, steady—control yourself.

WARE (*wildly*). Control myself ! (*He pauses after releasing himself from* EGERTON'S *hold, and with a tremendous effort masters his emotion to some extent.*) And—and the grounds for this—this—Egerton ?

EGERTON. There, I'm afraid I have to sink the human being and become—an official—a machine. (*Pointing to the back*) I have brought men with me whom you must question if you think fit. As a friend, though, let me advise you to say as little as possible when you go with them. You will have ample opportunity of——

WARE (*strongly*). Of proving the cruelty of such a charge, of exposing a blasted conspiracy. And I'll seize it, by Heaven ! I'll seize it, Egerton !

(LADY WARE *enters up right hurriedly, leaving the door open*—WARE *crosses down left.*)

EGERTON. 'Ssh !

LADY WARE (*coming to up centre and looking inquiringly at* EGERTON, *who meets her*). Sir Henry !

(*There is a pause.*)

EGERTON. Lady Ware, I——

WARE (*controlling himself*). Magdalen, I'll tell you

myself. If it wasn't for the horror of it (*in a lighter tone*) the whole thing would be too childish.

(EGERTON *takes her hand.*)

LADY WARE. What? what? Tell me.

WARE (*lightly*). And that's the way you and I must look at it.

LADY WARE (*anxiously*). Well?

WARE. I—I'm accused of the murder—of your brother, Eustace.

(LADY WARE *utters a cry of horror and throws* EGERTON'S *hands from her.* ADYE *hastens into the room up right, closing the door after him.*)

LADY WARE (*looks straight at* EGERTON). How—dare you?

EGERTON (*hanging his head*). It isn't I. And I beg you to believe, Lady Ware, that I feel—most deeply for you.

LADY WARE (*contemptuously*). Feel for me?

EGERTON. Most terribly. The duties of my work have never placed me in such an—awful position before. And it's because of—my friendship for you that I'm here.

LADY WARE (*turning on him up right centre*). *Because* of it! You're laughing at me.

EGERTON. I only came to—to try—(*with a look at* WARE, *who is left centre in a dazed condition*) to prepare you—to try to make it less grievous to bear.

LADY WARE. But it's cruel—wicked, devilish! Why, you could have prevented this.

EGERTON. I——!

LADY WARE (*rapidly*). Yes—by telling the truth of what occurred on that afternoon. You were

there, you were there—in the house at the very time!

EGERTON. Well, I was in the garden.

LADY WARE. Oh! that's a fine quibble the law can make use of, I suppose. But this is not the moment for quibbles, Sir Henry, and I resent them. My husband at the time my brother met his death was in the library with me (*indicates* ADYE) and Mr. Adye.

(ADYE *on the right acquiesces.*)

He then joined you upon the croquet-lawn. You—you knew that perfectly well. (*With a gasp she crosses to behind sofa left.*) Hubert, speak, for God's sake!

WARE. That is so. (*Scornfully*) But perhaps Sir Henry will dispute the fact.

EGERTON. Forgive me, but this is not the place for me to ——

WARE (*now under control*). I feel that we're wasting Sir Henry's time. (*Crosses centre to* EGERTON) Your people in the hall will be growing impatient. (*Turns to* LADY WARE) It's no use giving at the knees, you know. We must stiffen our backs, you and I. Buck up!

(WARE *hesitates as if about to kiss her, and then simply holds her hands, failing to speak.* EGERTON *has taken up his hat and opened the door at back, and, standing in the hall, is looking off left.*)

(*Shakes hands with* ADYE—*under his breath*) Good God!

(WARE *firmly passes out at the back. The door is then closed by* ADYE.)

LADY WARE (*breaking down.*) This is an infamy they're committing—an infamy!

ADYE (*stopping her upon the step at the door*). Courage! (*Supports her in his arms.*) Magdalen, is there anything in the world I can do for you? You can command me.

LADY WARE. Will—will you defend him? (*On her knees, she clutches him helplessly.*)

ADYE (*determinedly*). Yes!

(LADY WARE *sinks huddled up upon his feet.*)

END OF THE SECOND ACT

THIRD ACT

The Interior of Court I at the Central Criminal Court, London.

Facing the AUDIENCE *is the "well" of the Court, with its long table, strewn with documents and with about four small leather bags upon it, behind which and at each end are oak chairs used by the solicitors and people prominently concerned. Behind this table are several rows of desk for Counsel. And again behind them are rows occupied by well-dressed members of the public of both sexes. At interesting moments some of the ladies use opera-glasses. Against the right wall is the well raised Bench for the* JUDGE, ALDERMAN, SHERIFF, *and* UNDER-SHERIFF. *The* CLERK OF THE COURT'S *desk is below the Bench. A door in the far corner of the right wall is the entrance for the* JUDGE. *Immediately below the Bench on its right is the witness-box, which is raised from the floor by a step. On the left is the large dock, facing the Bench. Below it are double swing doors leading out. A City constable stands by them. No jury-box, which would be upon the* JUDGE'S *right, is visible.* THE AUDIENCE IS THE JURY.

It is a late afternoon in January, two months having elapsed since the Second Act. The lighting of the Court, which is very subdued, is electric.

The entire Court is panelled with light Austrian oak. A deep-toned very distant church clock chimes the half-hour. Then the curtain rises. There is a buzz of conversation in Court. SIR HENRY EGERTON, *with his back to the* AUDIENCE, *is talking to* SIR JOHN MURLESS, K.C., M.P.

(*the* ATTORNEY-GENERAL), *who is in Counsel's front desk at the right end, his junior being on his left, and the* ATTORNEY-GENERAL'S "*devil*" *behind him.* ADYE *is at the back of the Court up left centre talking to a friend.*

The WARDER IN CHARGE *and a* SECOND WARDER *are standing back in the dock. The* WARDER IN CHARGE *is differently dressed from the* SECOND WARDER. *The* PRISON DOCTOR *is also in the dock, talking to the* WARDERS.

(*Three loud knocks are heard on the door up right. The interval after the first knock is longer than between the second and third, which are very sharp. The* USHER *below witness-box calls,* "*Silence! Be upstanding in Court!*"

All rise to their feet as the ALDERMAN, SHERIFF, *and* UNDER-SHERIFF *in their gowns and uniform enter up right in the order named. Each then stands at his respective desk with his back to the dock. The* HON. SIR RICHARD PETWORTH, *the* JUDGE, *in his red robes, then enters, carrying his* "*black cap*" *and white kid gloves, and each of the named officials bows to him as he passes them to his desk, which is immediately below the* ALDERMAN'S *seat, which is under the Royal Arms, and the Sword suspended below it. The* JUDGE *then slightly bows towards the* AUDIENCE, *then to the Bar. He then sits, the whole Court doing likewise. The* JUDGE'S CLERK, *in ordinary morning dress* (*frock-coat*), *whose desk is immediately to the right of the* JUDGE, *pushes*

forward the JUDGE'S *chair for him, and takes from him his "black cap" and gloves, which he places on the desk-flap immediately on right of* JUDGE'S *desk. The* JUDGE *talks quietly for a moment to his clerk.* EGERTON *sits at right corner of the table in the "well."* ADYE *takes his place next to the* ATTORNEY-GENERAL'S *junior.* ADYE'S *junior is on his left.*

On the left hand corner of the desks of the JUDGE, *the* ALDERMAN, *and the* SHERIFF, *there is a small pile of herbs.*)

JUDGE. Is the prison doctor here?

DOCTOR (*stepping forward in dock*). Yes, my lord.

JUDGE. I understand the prisoner is now better. Is he fit to return to the witness-box for his cross-examination to be resumed?

DOCTOR. Quite, my lord. It's only weakness. He's been very ill in the prison with pneumonia.

JUDGE. Yes, I understood that. Is the prisoner there?

DOCTOR. Yes, my lord. (*Signals to* WARDERS.)

JUDGE. Very well.

(*Movement from* WARDERS—*pause.*)

(WARE *comes up through trap into dock, advancing to the front. He looks pale and haggard, and is as usual faultlessly dressed. He wears no scarf-pin, watch-chain, or links.*)

ADYE (*looking up at him*). Will you come back, please, into the witness-box?

(*Stir in Court.*)

(WARE *leaves dock, door of which is unlocked noisily by* WARDER, *and passes along front*

of stage to witness-box, closely followed by SECOND WARDER, *who stands then near witness-box.*)

JUDGE (*to* WARE). If you like to sit you may do so.

WARE. Thank you, my lord, I'm better now. (*Remains standing.*)

(USHER *places glass of water for* WARE.)

ATTORNEY-GENERAL (*rises*). Now I'll pass from the financial side of the matter. On that fateful afternoon of September the 10th, you've told my learned friend, Mr. Adye, in your examination in chief, that you were in the library when your brother-in-law went to bathe.

WARE. That is so.

ATT.-G. For how long did you remain there?

WARE. I couldn't say exactly.

JUDGE (*to* WARE). Turn more to the Jury (*indicates the* AUDIENCE).

ATT.-G. What made you eventually leave the room?

WARE. My wife thought I was neglecting Sir Henry Egerton, who was on the croquet-lawn.

ATT.-G. Then what did you do?

WARE. What did I do? Why, I joined Sir Henry.

ATT.-G. How soon?

WARE (*hesitating*). Oh, in a few minutes.

JUDGE. I didn't catch that answer, Mr. Attorney.

ATT.-G. My lord, in a few minutes the witness said. (*To* WARE) How long would it take you to go direct to the lawn?

WARE. Oh, not long, of course.

ATT.-G. It's so close?

WARE. Yes.

ATT.-G. How close ?
WARE. Er—about a hundred yards.
ATT.-G. Or perhaps only fifty ?
WARE. It's possible. I've never measured it.

(JUNIOR *passes a plan of house to* ATTORNEY-GENERAL.)

ATT.-G. When just outside the library window you can see the croquet-lawn ?
WARE. Yes.
JUDGE. Is this the same plan which gives the elevation of the house ?
ATT.-G. Yes, my lord. It is marked " B."
JUDGE. The one which shows that, owing to the trees, the end of the lake in question cannot be seen from any of the windows ?
ATT.-G. Quite.
JUDGE. I follow.—Yes ?
ATT.-G. And from the lawn anyone could equally well see you ?
WARE. I—I suppose so.
ATT.-G. But Sir Henry Egerton did. He expressly said so in his evidence.
WARE. Yes, yes. I forgot for the moment.
ATT.-G. He's told us further that he saw you descend those six steps to the lower level of the garden *not* in the direction of the croquet-lawn, and that you did not join him for a quarter of an hour. How do you reconcile that with your previous answer ?
WARE. I was extremely worried that day——
ATT.-G. Then Sir Henry is inaccurate in describing you as being in excellent spirits ?
WARE. I take it to be one's duty to hide one's feelings from one's guests sometimes. I'm glad I succeeded so well.

(*Movement of approval in Court.*)

ATT.-G. (*icily*). Go on, please. Turn to the Jury (*indicates the* AUDIENCE).

WARE (*to* AUDIENCE). I did go down the steps Sir Henry speaks of. But I only sat down on a seat for a minute or two before going round to the croquet-lawn?

JUDGE. Can that seat be seen from the croquet-lawn?

WARE. No, my lord.

ATT.-G. No one saw you sitting there?

WARE. I suppose not.

ATT.-G. Might it have been longer than a minute or two that you sat down?

WARE. Really, I——

ATT.-G. Might it have been five minutes?

WARE. Oh, perhaps it might. I tell you I was terribly worried, and I was trying to think what to do.

ATT.-G. Might it have been ten minutes?

WARE. Well—er——

ATT.-G. Might it have been fifteen?

WARE. Oh no, it couldn't have been so long.

JUDGE. One moment, Mr. Attorney. (*Pause, while* JUDGE *takes a careful note.*) Yes?

ATT.-G. May I take it that when your wife suggested your joining Sir Henry you had it in your mind to follow the suggestion?

WARE (*wearily*). Yes.

ATT.-G. Then why not take the nearest way?

WARE. I could no more give reasons for my movements that day than I could fly.

ATT.-G. (*rapidly*). From that seat you speak of, how long would it take you to walk quickly to the bathing-shed?

WARE (*quietly*). Oh, very little time. It's no distance—certainly not more than a hundred yards.

(*General movement.*)

JUDGE. There must be absolute quiet in Court.

(*Pause while* JUDGE *takes his note.*)

ATT.-G. Now we've heard that the police discovered at Wilbury this volume of "French Crimes" and your book diary. (*Holds up first one, then the other, which were seen in the First Act.*) You'd been in the habit of reading that sort of thing?

WARE. It was a hobby. I was steeped in crime.

(*Subdued laughter in Court—the* JUDGE *conceals a smile.*)

ATT.-G. And as you've told my friend, it was your practice to enter the crimes you read in the diary?

WARE. And other books too.

ATT.-G. I agree. (*Holding up the two books*) But can you account for the remarkable coincidence that you read "The Farm Pond Murder," a story strangely similar to the one we're investigating, the day before Eustace Ede's death?

WARE. How can I account for it? It is simply, as you say, a coincidence. There was no secret about it. Why, that very afternoon I told Sir Henry Egerton about it.

ATT.-G. Did you tell him what kind of murder it was?

WARE. No, but if he'd asked I should have told him.

JUDGE. Let me have that volume of French crimes and the book diary.

(ATTORNEY-GENERAL *passes them up to the* JUDGE *via* CLERK OF THE COURT. *Pause while* JUDGE *examines them.*)

One moment, Mr. Attorney. I see there's a turned-down page. (*Shows it.*) Is that what the detective swore to?

ATT.-G. Yes, my lord.

WARE. I had turned down the page myself, my lord, while reading it.

JUDGE. I follow. Yes, go on, Mr. Attorney.

ATT.-G. Where do you generally keep that book diary?

WARE. On my writing-table, lying openly on the top.

ATT.-G. Was it there upon that day?

WARE. Yes, I'm sure it was.

ATT.-G. Can you account, then, for its subsequent discovery in one of the bookcases out of sight—some way back?

WARE. No, I can't!

ATT.-G. Did *you* remove it there?

WARE (*strongly*). No.

ATT-G. You're definite upon that point?

WARE. Quite definite.

ATT.-G. What makes you so definite?

WARE. I'll explain. Our departure from Wilbury——

ATT.-G. Yes, but I've not got to that.

ADYE (*rising*). My lord, my friend must allow the witness to explain.

JUDGE. Yes, Mr. Attorney, I think the witness is entitled to give his explanation in his own way. (*To* WARE) Turn to the Jury.

WARE (*to* AUDIENCE). Our departure, gentlemen, from Wilbury after the inquest was hurried. We were all anxious to get away. I knew I'd

left the diary on the table, and just before I left I went to look for it.

ATT.-G. Why?

WARE. I wanted to pack it and take it to town.

ATT.-G. What for?

WARE. I nearly always had it by me to enter any fresh books——

ATT.-G. Well? (*He indicates to* WARE *by gesture to turn towards* JURY.)

WARE (*to* AUDIENCE). I couldn't find it. The table had been removed against the wall when —when my brother-in-law was placed there. I can only imagine that in the turmoil the diary fell on the floor, and that one of the servants, or somebody, placed it without thinking on the first shelf that was handy.

ATT.-G. Did you mention its disappearance to anyone?

WARE. No—I only thought of it at the last moment, and then, as I say, I longed to get away from the place. I think, Sir John, you would have had the same feeling.

(*Quiet murmurs.* ATTORNEY-GENERAL *quietly asks the* CLERK OF THE COURT *for two rings. He takes them from him. Each has a label attached to it.*)

ATT.-G. Now, your signet-ring, which the police found in the lake (*holds up ring*); you've told my learned friend that you were wearing it that day.

WARE. I repeat, I sealed a letter with it that very afternoon in Mr. Gurney's presence.

JUDGE (*holding up letter and envelope with wax on it*). Er—you're referring to this letter—Exhibit "H"?

ADYE (*rising*). Yes, my lord. The one Sir Hubert Ware wrote to Switzerland, (*turning towards* AUDIENCE) expressing a wish for his brother-in-law's comfort on the very day when he's charged with designedly killing him.

ATT.-G. Surely, Mr. Adye, that's argument. It will be for the Jury to put their own construction upon it.

ADYE. Which I have little doubt they will.

JUDGE. In accordance with this letter of yours to the Swiss family, was your brother-in-law to start for Lausanne on the following Monday?

WARE. He was, my lord.

JUDGE. Were you fond of him?

WARE. No, my lord, I can't say I was.

JUDGE. You say "no"?

WARE. It would be affectation for me to pretend that I was. He was not a likeable boy. I was friendly with him, but beyond that—— (*Shrugs his shoulders.*)

JUDGE. Go on, please Mr. Attorney.

ATT.-G. (*to* WARE). That letter was sealed before Eustace Ede met his death. On your oath, were you wearing this ring (*holds it up*) *after* he met his death?

WARE. On my oath I was.

ATT.-G. You follow my point?

WARE. Perfectly. The doctor swore that the bruise and mark on Eustace's forehead *could* have been caused by a blow from a hand wearing that ring.

JUDGE (*to* WARE). Sufficient just to answer the Attorney-General's questions. It will be for the Jury to consider the evidence.

ATT.-G. (*to* WARE). Do you seriously suggest —(*to* AUDIENCE) to the Jury that your explana-

tion of the subsequent discovery of this ring in the lake is a satisfactory one?

WARE (*to* AUDIENCE). It's the only one I can give, and it's true.

ATT.-G. Repeat it.

WARE. I've already——

ATT.-G. (*mechanically*). Repeat it——

WARE (*to* AUDIENCE). That ring was found by the police when they dragged the lake a second time, weeks later.

ATT.-G. Well?

WARE (*to* AUDIENCE). Three days after the catastrophe, early in the morning it was insufferably hot, and I was restless and unable to sleep—so I went down to the lake and bathed.

ATT.-G. (*icily*). From the same spot? Go on.

WARE. Well, I lost the ring then. It was always a shade large.

ATT.-G. Did you mention the loss to anyone at the time?

WARE. No, I don't think I did.

ATT.-G. Aren't you sure you didn't?

WARE. Well, yes, I am.

ATT.-G. Then why not say so? It was a pity you didn't mention it, wasn't it?

WARE. I agree with you entirely. But at that awful time the loss of an ordinary signet-ring was of less importance somehow than the inquest and other matters.

ATT.-G. (*gravely*). Do you wish the Jury to believe you were able to bring yourself to bathe in that spot three days after this ghastly thing had happened?

WARE. That is what I'm asking them to do.

ATT.-G. Was anyone in the house aware of—this bathe?

WARE. No, unfortunately.
ATT.-G. Can you produce here a single witness to corroborate your story?
WARE. I cannot. It was at six in the morning.
ATT.-G. Before any of your servants were down?
WARE. Yes. They're no better at getting up than most people's.
ATT.-G. Later, when the servants were about, did you give your bathing suit to anyone to have it dried or leave it out for that purpose?
WARE. I did not.
ATT.-G. Why not?
WARE. Because I wore no bathing suit.

(*Subdued laughter in Court.*)

USHER. Silence!
WARE. No occasion at that hour.
ATT.-G. Did you value the ring? (*A long pause.*)
WARE. I didn't quite catch what you said. I'm sorry——
ATT.-G. Did you value the ring?
WARE. I liked it.
ATT.-G. Did you value it?
WARE. Well—er—I used it for sealing letters. It was a useful ring to me.
ATT.-G. (*holding up two similar rings*). Did you value it sufficiently to buy another practically identical to take its place?
WARE. Yes, if you put it in that way.
ATT.-G. And to buy it at the first opportunity, on the very day after you returned to London?
WARE. Yes, Felkington's, where I bought it, have given you the date.
JUDGE. Mr. Attorney, may I have the two rings again?
ATT.-G. If your lordship pleases.

(ADYE'S *instructing Solicitor talks with* ADYE. ATTORNEY-GENERAL *passes rings up to* JUDGE, *via the* CLERK OF THE COURT. JUDGE *examines rings with a magnifying glass, the* JUDGE'S CLERK *turning up a green shaded lamp on left of* JUDGE'S *desk. Pause. Distant church clock chimes the three-quarters.*)

JUDGE (*to* WARE). Would you be prepared to point out *any* difference between the two rings?

WARE. No, my lord. I should go further than the Attorney-General. I should say they are *absolutely* identical.

JUDGE (*to* AUDIENCE). Gentlemen, you shall have the rings to examine when you retire to consider your verdict. Yes, Mr. Attorney?

ATT.-G. (*to* WARE). Did you invariably wear the second ring up to the night of your arrest?

WARE. Generally.

ATT.-G. Why did you buy it?

WARE. To take the place of the other.

ATT.-G. So as to run no further risk of its absence being noticed?

WARE (*strongly*). No.

ATT.-G. Do you swear that?

WARE. I do.

ATT.-G. Was this a—pleasant bathe?

WARE (*wearily*). In a way.

ATT.-G. May I take it that it was not an *un*pleasant bathe?

WARE (*falteringly—appeals mutely to* JUDGE). I—I don't know. I—I can't say.

ATT.-G. But you were able to do it in the very spot where that boy had met his death three days before.

WARE. Which if I had been guilty of this foul crime would have taken some doing.

ATT.-G. Doesn't it strike you as being an extraordinary thing to be *able* to do?

WARE (*weakly*). My lord, might I sit down again?

JUDGE. Certainly.

(WARE *sinks into chair and is given water by* USHER. *His temporary breakdown is physical, not mental.*)

WARE (*after a considerable pause he masters himself and turns to the* ATTORNEY-GENERAL *with perfect manners*). I—I am extremely sorry, Sir John. I——

ATT.-G. (*politely*). I think you wish me to repeat my last question?

WARE. Forgive me. I forget it.

ATT.-G. Doesn't it strike you as being an extraordinary thing to be *able* to do?

WARE. As to how it strikes me is perhaps less important than how it strikes the Jury.

(*Slight murmurs in Court.*)

ATT.-G. You told me just now that after the inquest you were anxious to get away from the place. Can you reconcile that anxiety with your attitude on this occasion of the bathe?

WARE. *I* can. The two occasions must speak for themselves.

ATT.-G. Isn't it a fact that you never bathed there at all after the boy's death?

WARE. No, it is not.

ATT.-G. (*powerfully*). Isn't it a fact that you lost that ring in a struggle with him when he met his death?

WARE (*rising, and violently*). No! Before God, no!

ATT.-G. Listen!

WARE (*getting beyond control*). You must let me finish—what I—was going to say. You—you've spun a web round me of—of the most appalling kind, and there are certain facts against me which I can't get over.

(JUDGE *is trying to stop him.*)

I've only told you the truth. You've assailed my moral character and I haven't attempted to defend it. I don't defend it. (*To* AUDIENCE) I've been as candid as I could, gentlemen, but when the prosecution charge me with this crime, they commit one in doing so. I swear solemnly that I'm innocent.

(*Sensation in Court. The* ATTORNEY-GENERAL *sits down and* ADYE *slowly rises.*)

ADYE (*gently*). Calm yourself. I know you've been very ill. Just answer quietly the few further questions I'll put to you. You don't dispute the financial aspects of this case?

WARE. Not in the least.

ADYE. Nor in that respect your relationship with Mrs. Scale and your owing her two thousand pounds?

WARE. I wish I *could* dispute it. There is much in my life I wish I hadn't done.

ADYE. As to your liabilities, had you any notion that after the tragedy your wife would settle them?

WARE. I had not. I might add that my wife and I—were not happy together—through my fault, not hers.

JUDGE. In fact, has your wife settled all your liabilities?

WARE. Every one, my lord.

JUDGE. What was the first intimation you had of her intention of doing so?

WARE. Through her solicitor, my lord.

ADYE. She might have declined to assist you at all?

WARE. And she would have been justified. I'm prepared to say in open Court that I had treated my wife abominably.

(*A stir in Court.*)

ADYE. Sir Hubert, you have said that you bought the second ring at Felkington's upon the day after your return to London—(*satirically*) upon "the *very* day after," to use my learned friend's expression. Was there anything in the wide world to prevent your motoring to Felkington's, the twelve miles from Wilbury, upon any day *before* that you chose to do so if you had been in a desperate hurry to replace the ring?

WARE (*weakly*). Nothing whatever.

ADYE. When your brother-in-law went to bathe, leaving you in the library, was that the last occasion on which you were in his company?

WARE. It was.

ADYE (*throws down papers contemptuously*). One final question. Did you kill Eustace Ede?

WARE (*strongly.*) No!

(ADYE *sits down—sensation in Court.*)

JUDGE. Witness——

(WARE *shows signs of weakness and drinks water.*)

Very well (*pointing to dock*). You can go back.

(WARDER *escorts* WARE *back to dock, where he sits.*)

ADYE (*quietly, after completion of this*). Lady Ware !
POLICEMAN (*through door calls*). Lady Ware !

(LADY WARE *in black enters left. She crosses right and enters witness-box, and is sworn by* USHER, *as follows : She holds up the Testament in her right hand and a large printed card in her left, from which she reads.*

A lady at back of Court stands up to make a sketch of LADY WARE'S *dress.*)

JUDGE. You must sit down, madam, unless you are leaving the Court.
LADY WARE (*quietly*). "I swear by Almighty God that the evidence I shall give to the Court and Jury sworn between our Sovereign Lord the King and the prisoner at the bar shall be the truth, the whole truth, and nothing but the truth."

(CELIA *in quiet grey has followed her into Court, and takes her place below* ADYE *in the "well."* LADY WARE'S *bearing is one of quiet dignity.*)

ADYE. Lady Ware, you are the wife of the prisoner ?
LADY WARE. I am.
ADYE. I have only a few questions to ask you. Your husband has told us that you and he were not happy together. Is that true ?
LADY WARE. Quite true.
ADYE. We have heard him blame himself in that regard, so I won't ask your view of the matter.
LADY WARE. I'd rather you didn't ask me that It seems so small,

ADYE. The payment of his debts—was that an entirely spontaneous action on your part?

LADY WARE. Entirely.

ADYE. He never asked you to help him?

LADY WARE. No. And I think it probable that he didn't think I would do so. We—we were very wretched at that time.

ADYE (*diffidently*). Lady Ware, you arranged to pay back that two thousand pounds to Mrs. Scale?

LADY WARE (*in a whisper*). Yes. Won't it suffice that I arranged to pay *all* his debts?

ADYE. Certainly. I take your answer. Three days after the tragedy, were you aware or had you any knowledge of his bathing in the lake?

LADY WARE. Unfortunately, no. But it was a very common thing for him to do.

ADYE. This ring, of which we've heard so much. Were there occasions on which your husband did not wear it?

LADY WARE. Oh, yes, frequent. For instance, when he played golf he always, I think, left it at home.

ADYE. And its absence sometimes from his finger wouldn't surprise you?

LADY WARE. Not in the slightest. And if I had noticed it, neither that nor anything else in the case would have led me to doubt his innocence.

JUDGE. We cannot have your opinion, Lady Ware.

LADY WARE (*not heeding the* JUDGE, *and stoutly to the* AUDIENCE). My brother was a very weak swimmer, and I'm convinced his death was an accident.

(ADYE *sits down, and the* ATTORNEY-GENERAL *rises.*)

ATT.-G. Do you seriously suggest that, after the medical evidence, and after the gardener's story as to his seeing another man bending over the punt ?

LADY WARE. I do. And I think the gardener, who was a great distance away, made a mistake.

ATT.-G. (*sarcastically*). I see.

ADYE. Mr. Attorney, I am going to call evidence to *prove* it was a mistake.

(*A stir in Court.*)

ATT.-G. Lady Ware, you say you knew nothing of this early morning bathe of your husband ?

LADY WARE. No, my husband and I had separate rooms.

ATT.-G. Don't *you* think it is remarkable that he was *able* to do such a thing ?

JUDGE (*shaking his head*). Well—Mr. Attorney.

(JUDGE *leans back in his chair and takes no notice of the following questions.*)

LADY WARE. No, I do not.

ATT.-G. (*who has not heard the* JUDGE). Do you mean that ?

LADY WARE. I do. And I will give my reason. I consider my husband an abnormal man.

ATT.-G. An *abnormal* man !

LADY WARE. Yes, an abnormal man.

ATT.-G. But not so abnormal as to be able to commit murder ?

LADY WARE (*stoutly*). No. To be morally bad is one thing. To be criminally bad is another.

(*Faint murmurs of approval.*)

USHER. Silence !

JUDGE. I think, Mr. Attorney, this is argument. The witness's opinion, you know——

(ATTORNEY-GENERAL *sits, after bowing slightly to the* JUDGE *in acquiescence.*)

ADYE (*to* LADY WARE). Thank you. I have nothing further to ask you.

JUDGE (*gently*). Just attend to me one moment, Lady WARE. On the night of the tragedy where was your husband ?

LADY WARE. At Wilbury, my lord.

JUDGE. Yes, yes—but I understand that you and your husband did not occupy the same room.

LADY WARE (*bravely*). No, but that night my husband and Miss Wilson sat up very late with me (*nearly breaking down*). I was very hysterical, and no one could have been kinder than he was, or more helpful, and——

(*Many of the spectators look towards* WARE.)

JUDGE. Thank you. That will do.

(LADY WARE *takes her seat beneath* ADYE *on* CELIA'S *left.*)

ADYE. Thomas Bold !

(CONSTABLE *calls out name through doors, left.*)

ATT.-G. Who ? What name ?

ADYE. Bold. (*Spells name*) B O L D.

(TOMMY BOLD, *much more tidily dressed, but looking very ill, enters left to witness-box and is sworn by* USHER *as* LADY WARE *was.* TOMMY *in error takes the Testament in his left hand and the card in his right and is about to read the oath.*)

USHER. The book in the right hand.

TOMMY (*then making the correction and holding up the Testament in his right hand and a large printed card in his left from which he reads* :) "I swear by Almighty (*coughs*) God that the evidence I shall give to the Court and Jury sworn between our Sovereign Lord the King and the prisoner at the bar, shall be the truth, the whole truth, and nothing but the truth."

ADYE. Thomas Bold is your name ? And you've been a bookmaker ?

TOMMY. That's right, sir. Well known in the ring once, but I've fallen on bad times. (*To* AUDIENCE) It was like this, gentlemen. I——

ADYE. Never mind that for the moment. Were you at Wilbury on September the 10th last ?

TOMMY. That's right, sir, Leger Day. I—I was near starving, and not knowing where to turn, I tramped by road—to Wilbury. I knew Sir Hubert had a kind heart, and I—I asked him for help.

ADYE. And did he help you ?

TOMMY. That's right, sir. No half-crown or five-bob touch, but a fiver. He's a tip-topper is Sir Hubert.

ADYE. And then ? Tell your story to the Jury in your own way.

TOMMY (*to* AUDIENCE). He gave me food, gentlemen, and told me to stroll in the grounds before I returned to London. So I wandered about till I came to—the lake. And—and within about a couple of hundred yards of a boat-house, I felt sleepy-like, and I curled up under a tree. Presently I woke, and I saw a young gentleman with a towel round his neck come to the boat-house,

ADYE. Do you remember how he was dressed at all?

JUDGE (*writing*). Not quite so fast, Mr. Adye.

ADYE. I beg your lordship's pardon. (*Pause.*) Do you remember how he was dressed at all?

TOMMY. A light suit, sir, and one of those Trilby hats. White it looked.

ADYE. Quite right. Had you ever seen him before?

TOMMY. Never in my life. Then he went into the boat-house.

ADYE. Alone?

TOMMY. That's right, sir. Quite alone. Then he came out again dressed as he was, and walked to the punt at the side. He unchained it——

ADYE. Can you swear to that?

TOMMY. On my oath. Then he got into the punt and shoved it off. And as he did so—he—he lost his balance and fell forward, and I thought he knocked his head somehow against the edge of the punt. He put his hand up like that (*gesture*)—but it didn't seem to upset him much. He came back then and got out.

(*Sensation in Court.*)

JUDGE. One moment. (*Writes—pause.*) Yes?

ADYE. Did he chain up the punt again?

TOMMY. No, sir. I don't think he did. Then he went into the bathing-shed.

ADYE. Still alone?

TOMMY. That's right, sir.

ADYE. And then?

TOMMY. Then he came out in his bathing-suit on the landing-stage and went down the steps into the water.

ADYE. You saw that distinctly?

TOMMY. That's right, sir. He sort of felt the water first with his toe to see if it was cold—funky like.

ADYE. And no one was with him or near at hand?

TOMMY. Not a soul, sir.

ADYE. Could you have recognized Sir Hubert if he'd been there?

TOMMY. Of course, sir. But he wasn't. On my oath, he wasn't.

(*Slight movement of relief from* WARE—*stir in Court.*)

ADYE. And then, did the young fellow swim or what?

TOMMY. That's right, sir. But not very grandly, I thought. He swam some little way out. And just about then I got up and went off to the station. I wasn't thinking anything about it. But just before I started off I remember I did look round, but the young gentleman wasn't there any more. I thought he'd gone back to the shed.

ADYE. What did you do then?

TOMMY. Went to the station and took my ticket for London.

ADYE (*to* JUDGE). I'm going to call the booking-clerk, my lord.

TOMMY. The what clerk?

ADYE. I'm addressing his Lordship.

TOMMY. You don't want to call no booking-clerk—I took the ticket, I can tell you all about it.

JUDGE. Don't argue.

ADYE. Now, Bold, when did you first tell this story to the prisoner's advisers?

TOMMY. Only after all the police-court proceedings were over.

ADYE. Why not before? Just explain quite frankly to the Jury why you allowed all those weeks to pass since Sir Hubert's arrest before giving your information.

TOMMY (*to* AUDIENCE, *and hesitating*). Because, gentlemen, since October I was in prison—two months' hard—for stealing—to keep alive. And I never heard a word about the case till I came out.

(ADYE *sits down.* ATTORNEY-GENERAL *rises. There is a general stir.*)

ATT.-G. What did you do with the five pounds the prisoner gave you?

TOMMY. Helped a pal with some and backed a loser with the rest.

ATT.-G. Where were you in prison?

TOMMY. Stafford, sir.

ATT.-G. Were you justly convicted?

TOMMY. Well, sir, that all depends on your point of view.

ATT.-G. Had you committed theft?

TOMMY. That's right, sir.

ATT.-G. Did you plead guilty?

TOMMY (*confidently*). No, sir.

ATT.-G. Did you go into the witness-box and give evidence on oath?

TOMMY. That's right, sir.

ATT.-G. And swore the charge was false?

TOMMY. That's right, sir. I meant to ride to the finish.

ATT.-G. When you came out of prison, how did you first hear of this charge against the prisoner?

TOMMY. From the paper, sir.

ATT.-G. So I imagined. A full account of the police-court proceedings.

TOMMY. No, sir, only a sort of paragraph just referring to the case and saying you were going to prosecute and Mr. Adye defend.

(ADYE *and* WARE *smile.*)

ATT.-G. Was that all it said?

TOMMY. No, sir, not quite. It had a headline.

ATT.-G. No doubt you're accurate upon that point. Did you buy this paper?

TOMMY. That's right, sir—*Evening News.*

ATT.-G. Just that *one* paper?

TOMMY. That's all, sir.

ATT.-G. What else did it say?

TOMMY. Just shortly what Sir Hubert was charged with. Not much more. No details.

ATT.-G. And simply on the strength of that you told your story to the prisoner's advisers?

TOMMY. That's right, sir.

ATT.-G. Didn't you know that your story contradicted in detail the case for the prosecution?

TOMMY. Yes, sir.

ATT.-G. *How* did you know that?

TOMMY (*raising his voice considerably*). How did I know it?

ATT.-G. (*icily*). That was my question.

TOMMY. Why, from the—the paragraph I've told you of.

ATT.-G. That short paragraph!

TOMMY. That's right, sir.

ATT.-G. And on the strength of that paragraph only you go to the prisoner's advisers and give them all these elaborate details—the boy falling in the punt and hitting his forehead, and the rest?

TOMMY. That's right, sir.

ATT.-G. On your oath, sir, didn't you buy all the newspapers you could containing the

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ATT.-G. On your oath, sir, didn't you buy all the newspapers you could containing the

three days before his brother-in-law was drowned. I will put it to you in a different light, and in the one which I believe you will accept—that it's inconceivable for a *guilty* man to be able to go near the spot at all! Remember also, gentlemen, that ring was not found when the body was found. It was discovered weeks afterwards when they dragged the lake a second time. Is not that consistent with the prisoner's account that he lost the ring *after* Eustace Ede's death? I submit respectfully that that point is worthy of your grave consideration. As to the prisoner's moral character, which has been fearlessly laid bare to you, I hold no brief for that! I am not here to defend that! He himself has not sought to defend it. And I make bold to say that there are many persons here in this Court who would not care to publish their full histories to the world. But they *need not be murderers!* (*Throws a paper on to the desk.*) Gentlemen, I don't want to flatter. It's not my way. But I can't help saying this with all the sincerity that's in me: The prisoner at the bar is a fortunate man in several respects. He is prosecuted by the Attorney-General with all the fairness which distinguishes him; his trial is presided over, I say it with the greatest respect, by one of the learned judges of England who is renowned for his scrupulous care and impartiality; his case is being tried by *you*, gentlemen, in whose hands his fate lies, and, speaking for myself, I can only thank you for the patience you have shown me; and last, but not least, his very life is being fought for by his wife (*points to* LADY WARE *beneath him*), a woman who, if I am any judge of

character, has in this Court won not only the sympathy but the admiration of all. In these days of scepticism, when the world seems packed with cynics and often bereft of what is fine and noble, you and I—aye! and every soul here—will be able to look back upon this terrible story with gratitude to that woman who has shown us all, old and young, that human nature has beauty in it still, and that her sex is to be revered. (*He is deeply moved, and pauses.*) But, gentlemen, it is not upon a recollection of her in that box that I'm going to ask you with an unbounded confidence to acquit the man at the bar. It is upon the evidence, upon the *facts*, and upon the facts alone. Cast all sentiment from you! *Fling* it away! And as men of the world see if you, or any *one* of you, can conscientiously send that man to his death. Are you going to assume the responsibility of saying that this is more than a case of extraordinary coincidence? You've seen the prisoner there (*pointing to witness-box*) facing his ordeal, a man of position charged with this awful thing with the eyes of Society—aye, and all the world—upon him. Were you not impressed by his candour? Would you say that he was lying? Did he strike you so unfavourably that you are convinced he was capable of writing the letter on that day to Lausanne while all the time he meant to kill his brother-in-law? *That* is the case for the Crown! My friend will say he had the opportunity to commit this crime. Did he take it? Bold swears he did not. Why should Bold lie? If Bold was committing perjury in that box, why should he not equally have given a *false* reason for his inability to tell

his story earlier to the prisoner's solicitor? Why, my friend hadn't heard his name till I called him into Court. He knew nothing about him, so that there was no necessity for Bold to advertise his past career had he wished to deceive you. People don't do those things. (*Pause.*) Gentlemen, the responsibility upon me is heavy, and for any omissions on my part I crave your indulgence, while I ask you to remember—as I know my lord will tell you—that no prisoner in England has to prove his innocence, but that the burden is on the prosecution to establish his *guilt* to the satisfaction of a jury beyond all reasonable doubt. (*Raising his voice*) Have they done that? I am not afraid of your answer.

(ADYE *sits down and there is some applause in Court. Every one is greatly moved.*)

USHER. Silence!

(*A hush, amid which the* ATTORNEY-GENERAL *rises.*)

ATT.-G. (*to* JUDGE). May it please your lordship. (*To* AUDIENCE) Gentlemen of the Jury (*in contrast to* ADYE, *he speaks very calmly*) We who spend our lives in courts of justice are accustomed to the power and eloquence of my learned friend; but you, I venture to say, who possibly have listened to him for the first time, will school yourselves, in accordance with the oath that you have taken, to weigh only the evidence in this extraordinary story, and to be influenced not by any fervent words of his, nor by any pity that you may feel for individuals, but by hard facts. If individuals and their feelings

are to be remembered by you, I submit there is one who deserves your pity. That is the boy—who—was—done to death—on that afternoon of September the 10th. I agree with my friend. It is incumbent on the prosecution to prove the prisoner's guilt to your satisfaction. (*Frigidly*) Gentlemen, have not the prosecution done so? Can you disbelieve the testimony against him? Is it not beyond suspicion? Then ask yourselves if that for the defence is equally reliable. I shall revert to that. As to Lady Ware (*turning to* ADYE), admitting the world to be sceptical and cynical, I think you will agree with me that there are few wives who, in a like position, would not have acted in precisely the same way. She strenuously denies that there ever was any communication between her and the prisoner as to her paying his debts after the death of the boy. Assuming that to be true—and God forbid that we should blame her if it is not true!—(*pointing to witness-box*) we have seen what she will endure for that man, and in that regard I am as ready to pay my tribute to her as is my learned friend; *but*, with that generous nature which her husband recognized well enough, is it not at least conceivable that, communication or no communication between them, he might have had a *very shrewd opinion* that she would rescue him from his difficulties? (*Lowering his voice*) At any rate, she did rescue him. (*Pause.*) Gentlemen, let me remind you of a significant phrase. Lady Ware described the prisoner as an "abnormal man."

(LADY WARE *looks round with a startled and livid face at the* ATTORNEY-GENERAL.

She then, unobserved by the others, shows signs of faintness.)

I don't know what you thought of that definition. But it was a *remarkable* one—wasn't it? And from the point of view of the prosecution it is the most accurate description that could be given of him.

(*The deep-toned distant church clock slowly chimes and booms the hour during the following sentences.*)

(*Leans well forward—almost in a whisper*) He *is* an—abnormal—man. (*Strongly*) And step by step I'll show you how. The clouds of ruin had been gathering round the prisoner, and on that day of September the 10th there burst upon him one which overwhelmed him—the urgent message from Mr. Ingleworth the stockbroker, a claim—taken with the rest—which he could not meet, except through one contingency—the death of Eustace Ede, whose prospective fortune would then pass to Lady Ware. He knew that. It's proved that he knew it. And what happens? Eustace Ede dies within an hour! Do you believe for an instant that it was accidental? Consider that similar French crime read and *digested* by the prisoner the very day before. The blow on the forehead! The loss of the ring, which *could* have caused the wound, and—as I submit to you—did cause it! And stranger still, the purchase of the second ring, absolutely identical! Piece those facts together, and remember that that boy's death meant *everything* to that man! (*Raising his voice and pointing to* WARE.)

(LADY WARE *faints away. She is attended by* CELIA.)

WARE (*quickly, standing*). My lord, my wife is ill!

(*Great commotion, during which* PRISON DOCTOR *hurriedly leaves the dock to assist* LADY WARE.)

JUDGE (*to* WARE, *holding up his hand*). You must keep silent. (*To* ATTORNEY-GENERAL) Just a few moments, Mr. Attorney.

(ATTORNEY-GENERAL *sits down. Preparations are made to take* LADY WARE *from the Court.*

The church clock slowly booms the hour in the distance.)

END OF THE THIRD ACT

FOURTH ACT

Same as the Second Act, except that the pianoforte is closed.

It is the same night, about ten o'clock. GURNEY *in day clothes is up left sitting by the open window.*

(*Distant cries of newspaper-sellers are heard in the street, who are shouting as it were against each other: "The Ware Trial"—"Speech for the Prosecution"—"Great Speech for the Defence"—"Scene in Court"—"Latest Details"—"Special"—"The Ware Trial"—"Judge summing up."*

ADYE *enters up right with tumbler, which he places on piano. He munches a biscuit and paces the room nervously, wearing his overcoat over day attire.*)

ADYE (*nervously*). What are they shouting now? (*Crosses to fire-place.*)

GURNEY. Nothing fresh.

ADYE (*crosses to right restlessly*). Is that wretched gaping crowd still out there? (*Removes coat and puts it on chair up right centre by door.*)

GURNEY. Yes. (*Shuts window.*)

(CELIA *enters at back in same dress as in previous Act.*)

CELIA. I've only just heard you'd come. How long have you been here?

ADYE. Half an hour. I didn't want her disturbed. How is she?

CELIA (*despairingly*). Oh-h ! She insists on coming in to see you.

ADYE. Did you have the telephone disconnected ?

CELIA. Yes, directly I got her home.

ADYE. It would never do for any news to reach her too suddenly. Rate has the car there and will drive straight here.

CELIA (*up centre*). Is—is there any news ?

ADYE (*up right centre*). Not yet. The Jury are still out. But many people are afraid of the result. 'Ssh !

(LADY WARE *enters at back. She is wearing a beautiful white rest-gown. Her hair is dishevelled*—ADYE *greets her gently, centre.*)

LADY WARE. It's not—over ?

ADYE. No—no, not yet.

LADY WARE. Why—why have you left the Court ?

(CELIA *is behind settee, right.*)

ADYE. I left my junior to take the verdict. It became unendurable. There was nothing more that I could do.

LADY WARE. Oh, don't think me ungrateful. I shall never forget what you've done for him. How—how far have they got ?

ADYE. The Judge finished his summing up and the Jury retired.

LADY WARE. When—when did he finish ?

ADYE. At nine.

LADY WARE. Nine ! What's the time now ? (*Down left.*)

ADYE. Half-past ten.

LADY WARE. An hour and a half ! Celia, what time was it you got me home ?

CELIA. About six, dear.

LADY WARE. It's an eternity! Take me back. Oh, the powerlessness of one! (*Sits on sofa. To* ADYE) Don't hide anything! Tell me everything! How—how did the Judge sum up?

ADYE (*sits on stool right of sofa*). Very fairly, as he always does. About half-past nine I thought the Jury wouldn't be long.

LADY WARE. Why?

ADYE. Because they sent a note to the Judge.

LADY WARE. A note?

ADYE. Probably asking some question.

LADY WARE. Well?

ADYE. The Judge sent back his reply from his private room. I saw the Clerk of the Court bring it through. That often means they agree soon afterwards.

LADY WARE (*vehemently*). But here it means nothing of the kind! (*Suddenly*) Suppose they don't agree! (*Pause.*) What then?

ADYE. There would have to be a fresh trial.

LADY WARE. He would have to endure this again?

ADYE. I'm so grieved to have to pain you like this. I only came to—— It was cruel of me to intrude on you. (*Moves to go.*)

LADY WARE. No, no, don't go! I may—need you greatly. I mean if they find Hubert——!

ADYE. You mustn't speak of that yet.

LADY WARE. Then you think there's hope—a real hope?

GURNEY (*cheerfully*). Why, of course. There's a tremendous feeling for him. A great crowd outside in Newgate Street was calling for "Three cheers for Hubby Ware."

LADY WARE (*excitedly*). Were they? (*Controlling herself*) Don't pay any attention to me. I'm

—terrified! (*Clutching* ADYE'S *arm*) For God's sake don't leave me!

(GURNEY *makes a sign to* CELIA. *They go up right.*)

GURNEY. We shall be in the dining-room, Adye.

(CELIA *and* GURNEY *go off up right.*)

ADYE. I'll stay with you to the end.

LADY WARE. How can I ever thank you for all you've done for him? If he's spared it's you who will have saved his life. But, Michael, you're not as hopeful as Marston. Tell me. I can bear it.

ADYE. I'm not as young. And perhaps defending a man you know brings you too close to it all.

LADY WARE. But you believe him innocent!

ADYE (*turning to her—strongly*). With all my heart.

LADY WARE (*on sofa, left*). Then they can't make the mistake. They can't!—Tell me—has such a ghastly thing ever been done?

ADYE. What?

LADY WARE. An innocent man to be condemned.

ADYE. Very rarely in this country—on a charge of murder.

LADY WARE. Then he's safe! He *must* be safe! Oh, why—why are they so long? Why?

ADYE. Because they can't agree.

LADY WARE. And you think they won't agree?

ADYE. I think it's possible.

LADY WARE. But it's devilish! You and I know him to be innocent. But he hasn't to prove his innocence. You said that in your speech. It's for them to prove his guilt.

ADYE. The Judge said the same in his summing-up.

LADY WARE. And they've failed! Surely Bold's evidence alone—— !

ADYE. Still, they've got to believe Bold. Those last answers of his to the Judge were not very helpful.

LADY WARE. Did the Judge allude to them?

ADYE. Yes, but very fairly. He told the Jury they might take the view that the man was confused and didn't realize quite what he was saying. But he said they must scrutinize his evidence carefully, and also that, though he need not necessarily be committing perjury, they were entitled to take into consideration his past record.

LADY WARE (*in a whisper*). What's the time?

ADYE (*looking at clock on mantelpiece*). A quarter to eleven.

LADY WARE (*rises in terror*). Two hours out! Oh-h! This will kill me! I must go back—take me back!

ADYE (*rises, and cheerfully takes her hand*). Courage! Courage! Remember it was your husband's bearing in the box that made the greatest impression.

LADY WARE. He was splendidly brave, wasn't he?

ADYE. There was only one other witness who surpassed him—yourself. Every one saw a forgiving woman fighting nobly for her husband's life. (*Passionately*) Can you believe how I'm feeling for you? Can you imagine what it meant to me to have to put those questions to you? (*Reverently kissing her hand*) I worship you!

LADY WARE (*gently placing her hand upon his arm*). Michael—dear, I shall never forget you. I shall never forget—anything—— But

I have to be a changed woman since—since all this.

ADYE. How do you mean?

LADY WARE. This—this awful suffering of his must be his atonement for all that is past.

ADYE (*mechanically*). All that is past?

LADY WARE. Yes, for all. I am his sole protector now, and I must try to forgive him everything. If justice could have brought him back I was ready to begin afresh. Do you understand?

ADYE (*looking in front of him*). Yes, Magdalen.

LADY WARE. But justice won't! There *is* no justice! Some devil's at work to cheat him of the chance to try to do better! (*Losing her self-control*) They're going to find an innocent man guilty! They're finding him guilty at this very moment while you and I are here! I know it! I feel it! It's a crime—it's an infamy! (*Sinks on to sofa.*)

ADYE. Courage!

LADY WARE. I've not been merciful enough to him. I could have been less hard. I might have appealed to his better side, been more patient, more tolerant. I have everything to reproach myself with now.

ADYE (*strongly*). No woman that ever lived could have behaved more finely than you have done.

LADY WARE. Finely! I feel contemptible!

ADYE. Contemptible? You, contemptible? You?

LADY WARE. Utterly! I've never given him a chance!

ADYE. Oh!

LADY WARE. Not a real chance, I mean. I tell you I feel contemptible. What have my trials all piled up together been compared with his

suffering now?—a suffering I might have prevented if only I had been different.

ADYE. *You* might have prevented! How can you blame yourself, you, of all people in the world?

LADY WARE. I've been as hard as flint, and I tell you I might have prevented this.

ADYE (*raising his voice*). You never could have prevented that. You never could have prevented anything. He wouldn't *allow* you to!

LADY WARE (*rises*). Oh, but Michael, you pity him, don't you? You pity him?

ADYE (*strongly*). At this present moment I pity him with all my soul.

(*A bell is heard. There is a pause. The attention of both is painfully arrested.*)

LADY WARE (*looking up with a dazed expression and whispering*). What's that? (*Clings to him.*)

(*Pause—the front door bangs.*)

That's—that's—our door!

(*She loses all power of speech and trembles violently. He supports her firmly but tenderly—while hysterically she bangs him on the chest with both fists.*)

(*In a terrified whisper*) Some one's—come! What—what are they—going to tell me? (*Her eyes close and her lips move. She drags* ADYE *down left.*)

(*There is a long pause. The door at the back is opened by* RATE *and* WARE *comes to the threshold. He is a complete wreck of what he was. She utters an hysterical cry. He just gives one plaintive look at* LADY

WARE *and then bows his head. Leaving the door open, he advances a few steps into the room unsteadily and stands up centre. During this, with her eyes fixed upon him,* LADY WARE *is struggling to master her emotion. She then staggers to him, and throws her arms about his neck, sobbing hysterically. He endeavours to control her, and, with a look of intense pain, gently releases her hold. He then puts out his hand feebly, as if for support, and walks weakly with her help to the settee, into which he sinks.* ADYE *comes to his left and holds out his hand to him, which he takes.* ADYE *slowly passes out through the door upright, which he closes after him softly, leaving his overcoat on chair.* LADY WARE *places a cushion behind* WARE'S *back.*)

WARE (*almost inaudibly*). Thank you—I——

LADY WARE (*gently*). Don't try to speak.

(RATE, *in day attire and overcoat enters quietly at back, carrying a tray on which there is an opened pint of champagne, one glass,* WARE'S *watch and chain and cigarette-case. He deposits the tray on the table, right centre.*)

RATE (*quietly*). I brought this for Sir Hubert, my lady. I think your ladyship should make him take it.

LADY WARE. Thank you, Rate.

RATE. And Sir Hubert, here are your things they returned you from—the prison.

WARE (*weakly and taking watch and chain, which he puts on*). Good. That's better. (*Takes cigarette-case.*)

RATE. Oh, and this note, Sir Hubert. (*Produces*

letter in envelope from his pocket.) Thomas Bold asked me to give it to you in the Court. He said particularly I was to give it into your hands only, Sir Hubert, and that you would understand. But it was against the regulations, and I couldn't.

WARE (*taking note weakly*). Thanks.

RATE (*to* LADY WARE *feelingly*). My lady, I—— (*Breaks off with emotion.* LADY WARE *grasps his hand warmly.*)

(RATE *goes off at back.* LADY WARE *pours out glass of wine.* WARE *opens envelope.*)

WARE (*extracting note from envelope and reading the contents*). "Hubby Ware has always lived like a gentleman. If he's beaten on the post Hubby Ware would like to die like a gentleman." (*Takes out of envelope a very small metal box, which he opens and looks into. He closes it and places it in his pocket.*)

LADY WARE. What does he mean?

WARE. Good old Tommy Bold!

LADY WARE. Rate's right, Hubert. (*Above the table and handing him the glass*) Drink this.

WARE (*dazed*). What—what? No, I don't think I can——

LADY WARE. Try.

WARE (*faintly*). Perhaps presently.

LADY WARE (*putting down the glass*). Have you had food?

WARE. No, no—— (*Faintly*) Everything failed me to-day; I couldn't.

LADY WARE. You've had nothing?

WARE. Oh, something at eight this morning. I've—not been able—to manage anything—since.

LADY WARE. Hubert!

WARE (*faintly*). Oh, they were—awfully good to me—tried to persuade me and all that, but I couldn't. I'm beyond it—beyond it. (*He shivers.*) Is it—is it cold here—or is it my fancy?

LADY WARE (*again handing him the glass*). Try now—for my sake. It will warm you.

WARE (*taking the glass*). Very well—yes. (*He just sips the wine, and stops as if he thought it would revive him, and then drinks off the glass. He shows the first sign of returning strength.*) You were right, Magdalen. That's the best thing I could take. I should like more. It might help me to forget——

(LADY WARE *pours out another glass and hands it to him.*)

If only I could forget! (*He drinks a little more and becomes more revived. The wine has rushed to his head.*)

LADY WARE (*feeling his shoulders*). You've got so thin, Hubert.

WARE (*a trifle recklessly*). Yes, I've lost weight, they tell me. I didn't know it was possible.

LADY WARE. I wonder you're alive, Hubert.

WARE. Alive! I don't know that I *am* alive. I don't care if I'm not! (*He finishes the glass, and puts it on the table.*)

LADY WARE. 'Ssh!

WARE. No, I don't! For two whole months I've fought for life! I—I've been in terror—of the other thing! I've clutched at everything like a drowning man at a—— (*Fearfully*) A drowning man! Ah, I can't get away from this horror! It'll never leave me—it haunts me!

LADY WARE. Don't talk, Hubert. (*Pouring out another glass of wine.*)

WARE. And now at the end that I've got my life, I don't want it! It's a foul thing and I loathe it! (*He takes up the glass and drinks it off at a gulp.*)

LADY WARE. I should like to kill the fiends who have brought you to this.

WARE (*pouring out another glass of wine and growing more excited under its influence*). Kill them—kill! Why, they're not such a bad lot really. (*Drinks more.*) It's—it's all infernally exaggerated—all that side of it—Why, now I remember it, even one of those—those warder fellows asked me to drink his health to-night, and it *is* to-night, isn't it? (*Standing up and raising his glass.*) Here's—here's to him! (*He finishes the glass, and staggers up stage, finally sinking on to the stool, left centre.*)

LADY WARE (*supporting him*). Sit quietly, Hubert. You're not strong enough to—— (*She kneels on his left.*) Try, try to be quite quiet for a little. (*She places her hand on his shoulder.*) I want to talk to you. (*He squirms under the touch of her hand, and during the following speech occasionally ejaculates violently.*) You have only to listen. You are not to speak of your life again as you did just now. Of course you didn't mean it, I know that. Nobody does. Your duty is to start it anew. Not alone, I know. That would be asking too much of you. Only two months ago, here in this room, you asked me if we couldn't start afresh, you and I—and I refused. (*Strongly*) Hubert—listen! It's for me to repent—not you. And I ask you to forgive me for all the hardness I ever showed you, on my knees—to forgive me for never helping you in your life. I mean I might have made it better. You might never have acted as you

did. I tell you the past is buried. I've come through it and borne it for *you*—because I knew the cruelty of the charge. It was only a devil who could send it! (*Breaking down.*) But you're innocent, you're proved to be innocent.

WARE (*wildly and almost throwing her from him*). No—no—I *did* it!

LADY WARE (*recoiling to left on her knees*). What?

WARE. I *did* it!

(LADY WARE *staggers to her feet with a shriek. Her demeanour is that of a woman stunned, and utterly unable to speak. There is a second of complete silence while* WARE *stares at her in a dazed and half-sober manner.*

ADYE *rushes in from up right and comes between settee and table, right centre.*)

WARE (*again to* LADY WARE). I *did* it!

ADYE. And I saved you—got you off! You're a devil!

WARE (*fiendishly*). Yes, but you can't touch me now! I'm free! None of them can touch me! I've cheated 'em—done the lot of 'em! I know the law of the land! (*Cheers in the street.*) Listen to them! They're calling for us—you and me! They like me! I'll go and give them a wave.

(LADY WARE *rushes in terror to* ADYE, *who is down right centre.*)

(*Dashes to window and opens it. Cheers swell. He shouts to crowd below wildly "Hurray! Hurray!" waving his arm. Turns round grimly, returning centre.*) They don't know! Did you hear them?

"Good old Hubby Ware"—and I killed him! (*Breathlessly*) I didn't know! (*Pointing downwards*) His weak, mean, useless face was there! (*Savagely*) I struck at it! (*Horrified*) That was all . . . no more . . . (*Excitedly*) And then suddenly I thought . . . Magda! . . . Wilbury! . . . perhaps! . . . (*Violently*) But no, I was a murderer! What? (*Suddenly remembering*) Fancy old Bold trying to . . . trying to . . . "That's right, sir." Do you remember? (*His face lights up. He quickly takes Bold's metal box from his pocket and extracts presumably a tabloid from it.*) Bold's message—"Hubby Ware has always lived like a gentleman. If he's beaten on the post, Hubby Ware would like to die like a gentleman." Well, by God, he *is* beaten! (*Swallows tabloid. Stretches out his arms.*) "That's right, sir!" (*He staggers. Then he falls to the ground, dead.*)

(*The cheers are still audible.*)

THE END

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